ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

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ಭಾಗ ೪ಎ

ರಾಜ್ಯದ ವಿಧೇಯಕಗಳ ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ರಾಜ್ಯದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಆಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರದ ಮತ್ತು ರಾಜ್ಯದ ಶಾಸನಗಳ ಮೇರೆಗೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ರಾಜ್ಯಾಂಗದ ಮೇರೆಗೆ ರಾಜ್ಯಪಾಲರು ಮಾಡಿದ ನಿಯಮಗಳು ಹಾಗೂ ಕರ್ನಾಟಕ ಉಚ್ಚ ನ್ಯಾಯಾಲಯವು ಮಾಡಿದ ನಿಯಮಗಳು

ARBITRATION CENTRE – KARNATAKA (DOMESTIC AND INTERNATIONAL) BENGALURU

An initiative of The High Court of Karnataka

NOTIFICATION

ACK/19/2013 [HCLC 138 of 2012] dated 05th July, 2016

THE ARBITRATION CENTRE – KARNATAKA (DOMESTIC & INTERNATIONAL) RULES, 2012

In exercise of powers conferred by Rule 36 of Arbitration Centre – Karnataka (Domestic & International) Rules, 2012, the Hon'ble High Court of Karnataka makes the following rules to amend the Arbitration Centre – Karnataka (Domestic & International) Rules, 2012. These amendments shall come into force on this the 05th July, 2016.

1. Amendment to the Preamble:

To add the words: **'Conciliation Centre – Bengaluru'** and to delete the word 'Karnataka' so as to rename the Centre as The Arbitration **& Conciliation Centre – Bengaluru** (Domestic & International).

PRELIMINARY

2. Amendment to Title - Rule 1:

To add the words: **' & Conciliation'** and to delete the words 'Karnataka (Domestic & International)' so as to rename the Rules as The Arbitration **& Conciliation Centre Rules, 2012.**

3. Amendments to the Rule 2:

The definition of the **'Centre'** found in Sub-Rule (d) shall be substituted by the definition of '**Arbitral Tribunal'** so as to maintain the alphabetical order of the definitions from Sub-Rules (a) to (u).

In Sub-Rule (d) after the words '**chosen from'**, the word **'out of'** shall be deleted.

The definition of the **'President'** found in Sub-Rule (e) to be substituted by the definition of '**Board of Governors**' so as to maintain the alphabetical order of the definitions from Sub-Rules (a) to (u).

The definition of the **'Board of Governors**' found in Sub-Rule (f) to be substituted by the definition of **'Centre'** so as to maintain the alphabetical order of the definitions from Sub-Rules (a) to (u).

In Sub-Rule (f) after the words '**The Arbitration'**, the words **'& Conciliation Centre-Bengaluru'** shall be substituted.

The definition of the **'Panel of Arbitrators'** found in Sub-Rule (g) to be substituted by the definition of **'Confirming Party'** so as to maintain the alphabetical order of the definitions from Sub-Rules (a) to (u).

The definition of 'Conciliator' to be inserted as Sub-Rule (h) as follows:

(h) 'Conciliator' means a person appointed as a Conciliator in terms of the Act or under these Rules or chosen from the panel of Conciliators of the Centre.

The definition of the **'Dispute'** found in Sub-Rule (h) to be substituted by the definition of **'Conciliator'** so as to maintain the alphabetical order of the definitions from Sub-Rules (a) to (u).

In Sub-Rule (i) after the words appointed, the words **'to the Centre'** shall be substituted by deleting the word **'as such'**.

The definition of the **'Confirming Party'** found in Sub-Rule (k) shall be substituted by the definition of **'Dispute'** so as to maintain the alphabetical order of the definitions from Sub-Rules (a) to (u).

The definition of the **'Joint Memorandum'** found in Sub-Rule (l) shall be substituted by the definition of **'Expert'** so as to maintain the alphabetical order of the definitions from Sub-Rules (a) to (u).

The definition of the **'Arbitral Tribunal'** found in Sub-Rule (m) shall be substituted by the definition of **'Joint Memorandum'** so as to maintain the alphabetical order of the definitions from Sub-Rules (a) to (u).

In Sub-Rule (m) after the word Schedule-I, the words '**or Schedule 1(A), as the case may be'** shall be added.

The definition of the **'Request'** found in Sub-Rule (n) shall be substituted by the definition of **'Panel of Arbitrators'** so as to maintain the alphabetical order of the definitions from Sub-Rules (a) to (u).

The definition of 'Panel of Conciliators' to be inserted as Sub-Rules (o) as follows:

(o) 'Panel of Conciliators' means a Panel of more than one Conciliator appointed and Conciliators constituted in accordance with these Rules.

The definition of 'Party' to be inserted as Sub-Rule (p) as follows:

(p) '**Party'** means a party to a conciliation agreement or who has signed the Joint Memorandum as provided in Schedule – IA.

The definition of the **'Rules'** found in Sub-Rule (q) shall be substituted by the definition of **'President'** so as to maintain the alphabetical order of the definitions from Sub-Rules (a) to (u).

The definition of *'Pro-Bono'* to be inserted as Sub-Rule (r) as follows:

(r) ***'Pro-Bono'*** Arbitrators' or Conciliators' Services means services rendered by an Arbitrator or Conciliator in an Arbitration or Conciliation proceedings, where the claim does not involve any sum exceeding Rs.5,00,000/- and where one or both the parties are indigent and unable to pay the fees of the Arbitrator or Conciliator, in consonance with the object of providing free legal services as contemplated under the Legal Services Authorities Act, 1987.

[Note: *There may be instances where the Claimant will not be in a position to bear the expenses such as Arbitrators' or Conciliators' fee, Administrative expenses and miscellaneous expenses. There may be persons who are willing to serve as Pro-Bono Arbitrators' and Conciliators'. In such circumstances, provision could be made for enabling such persons in financial difficulty to have the services of Pro-Bono Arbitrators' and Conciliators'].*

The definition of the **'Research Assistant'** found in Sub-Rule (o) to be renamed as Sub-Rule (s).

The definition of the **'Request'** found in Sub-Rule (n) to be renamed as Sub-Rule (t).

The definition of the **'Rules'** found in Sub-Rule (q) to be renamed as Sub-Rule (u) and in the said Sub-Rule after the words, the Arbitration, the words '**& Conciliation Centre Rules 2012'** shall be substituted by deleting the words, 'Karnataka (Domestic and International)'.

4. **Amendment to the Rule 2A**:

In Sub-Rule 2A after the word the Arbitration, add the words **' & Conciliation Centre – Bengaluru'** and to delete the word 'Karnataka' so as to rename the Centre as The Arbitration **& Conciliation Centre – Bengaluru** (Domestic & International).

PART-I

BOARD OF GOVERNORS

5. **Amendment to the Rule 3:**

In Sub-Rule (1)(a) after the word High Court, the words, **'to be nominated by the Chief Justice of the High Court of Karnataka, of whom, one shall be the President'** to be substituted by deleting the words 'of whom one shall be the President, to be nominated by the Chief Justice of the High Court of Karnataka'.

6. **Amendment to the Rule 4:**

In Sub-Rule 3 after the word the Arbitration, the words '**& Conciliation Centre Rules 2012'** shall be substituted by deleting the words, 'Karnataka (Domestic and International)'.

In Sub-Rule 5 after the words to fix or revise, the words '**the fees payable to Arbitrators and Conciliators and the administrative and miscellaneous expenses payable in respect of any proceedings'** shall be added.

In Sub-Rule 6 after the word 'Arbitrator' the words **'or a Conciliator'** shall be inserted.

The existing Sub-Rule (d) to be renamed as Sub-Rule (e) and the Sub-Rule (d) to be newly inserted as follows:

(d) **'he is appointed or nominated to any post or office of profit'**.

[**Note:** *There are instances, where, the arbitrators are appointed or nominated to the post of office of profit for specified tenure and continue to hold arbitration assigned without withdrawing from the mandate. Thus, the amendment to insert a clause prescribing disqualification.*]

In Sub-Rule (e) after the word 'may be', the word **'assigned'** shall be inserted by deleting the word 'found'

In Sub-Rule(8) after the word Arbitration, the words, '**or Conciliation'** shall be inserted.

To add Sub Rule(9):

(9) To appoint persons from the panel of Arbitrators to deal with matters enumerated under sub-Section (4) or sub-Section (5) or sub-Section (6) of Sec.11 of the Act.

[**Note:** *The above provision is in view of insertion of new sub Sec: (6B) of Sec 11, vide Amendment Act, 2015*].

PART-II

THE DIRECTORATE

7. Amendment to the Rule 5:

In Sub-Rule (1) after the words Affairs of the, 'the words Arbitration and Conciliation Centre-Bengaluru (Domestic & International)' shall be deleted and only the word **'Centre'** to be substituted.

8. Amendments to the Rule 6:

In Sub-Rule (1)(a) after the word Arbitration, the word **'or Conciliation'** to be inserted.

In Sub-Rule (1)(b) after the word Arbitrators' the word **'or Conciliators'** to be inserted.

In Sub-Rule (1)(c) after the word Arbitrator, the word **'or Conciliator'** to be inserted.

In Sub-Rule (1)(e) after the word Arbitrators' the word **'or Conciliators'** to be inserted.

In Sub-Rule (1)(g) after the word Arbitration, the word **'or Conciliation'** to be inserted.

To add Sub-Rule (j) :

(j) Such other functions as may be assigned by the Board of Governors.

PART-III

PANEL OF ARBITRATORS

In the title of the Part III after the word Arbitrators', the words '**and Conciliators'** shall be added.

In Rule 8 after the word Arbitrators', the words **'& Conciliators'** shall be added.

In Sub-Rule(1) after the word Arbitrators', the words **'and a panel of Conciliators'**, as well, after the word as Arbitrators, the words **'or Conciliators'** shall be inserted.

In Sub-Rule(2) after the word Arbitrators', **'and a panel of Conciliators'**, shall be inserted.

In Sub-Rule (3) after the word the panel, the words 'either at the request of any such person or for any reasons contemplated in Sub-rule (6) of Rule 4 of these Rules' to be added.

PART-IV

ARBITRATION PROCEDURE

9. Amendment to the Rule 9:

In Sub-Rule (2)(b) after the word where **'Supreme Court or as the case may be, the High Court or any person or institution designated by such court'** to be inserted by deleting the words 'the Chief Justice or his designate'.

[**Note**: *The above amendment is in view of amendments to Sec 11(4)(5)(6) of the Act vide Amendment Act, 2015*].

To add Sub-Rule (d):

(d) Where any statutory authority refers a dispute to Arbitration to be conducted under the aegis of the Centre in accordance with these Rules.

[**Note:** *Under certain statutes, there are provisions for referring the matter for Arbitration, for example; in Micro, Small and Medium Enterprises Development Act, there is a provision for settling the matter by way of Arbitration in case of failure of conciliation under Sec.18.*]

10. Amendments to the Rule 10:

In Sub-Rule (2)(g) after the word or laws, the words **'or trade usages applicable to the transaction'** shall be inserted.

[Note: *Amendment is in view of Substitution of Sub Sec (3) of Sec 28 vide Amendment Act, 2015*]

In Sub-Rule (3) after the word fifteen, the words **'thirty days'** shall be inserted.

To add Sub-Rule(3)(a):

3(a) Where the Supreme Court or as the case may be, the High Court or any person or institution designated by such court appoints an Arbitrator under Section 11 of the Act and directs the Arbitration to be conducted under the aegis of the Centre,

the claimant shall file his statement of claim within Thirty days from the date of receipt of official communication from the Centre under Rule 17 or with in such time as may be specified by the Director.

[Note: *Rule 10(3) prescribes 15 days time for filing claim statement when the parties directly approach the Centre seeking Arbitration, similar provision is not made, when the matter is referred by the Court. Hence, the amendment*].

To add Sub-Rule (9):

(9) Any person who is not a party to the Arbitration Agreement shall not be entitled to participate in the proceedings before this Centre, unless he has obtained leave of the court to do so. In that event such a party shall be subject to these Rules.

11. Amendment to the Rule 11:

In Sub-Rule (1)(e) after the word counter-claim, the words **'or a set-off, if any, which shall be adjudicated upon by the arbitral tribunal, if such counter claim or set-off falls within the scope of the arbitration agreement'** shall be inserted by deleting the words 'Including all relevant or supporting documents'

[Note: *Amendment is in view of new insertion of Sub Sec (2A) of Sec 23 of the Act, vide Amendment Act, 2015*].

In Sub-Rule (1)(h) after the word or law, the words **'or trade usages applicable to the transaction'** shall be inserted.

[Note: *Amendment is in view of Substitution of Sub Sec (3) of Sec 28 of the Act, vide Amendment Act, 2015*].

In Sub-Rule(7) after the word 'the Counter-claim', the words '**or set-off'** shall be inserted. As well after the word 'of the counter-claim', the words '**or the claim for set-off'** shall be added.

In proviso to Sub-Rule (8) the words 'In exceptional cases, the President in consultation with the Board of Governors, may exercise discretion to extend the time' shall be deleted.

12. Amendment to the Rule 15:

To add Sub-Rule(8):

(8) The Sub –Rules (3) to (6) shall *mutatis mutandis* applicable for the appointment of Arbitrators in a dispute referred by any authority.

[**NOTE**: *The existing Sub–Rules (3) to (6) only deals with a situation for appointment of Arbitrators, where the agreement provides for the same. Whereas, in a dispute referred under any statute, Rules or Regulations (Statutory Arbitration) there will be no such agreements providing for appointment of arbitrators in any manner what so ever. Hence, the above amendment*]

13. Amendment to the Rule 17:

In Sub-Rule (1) after the word 'in writing to the', the words 'parties with a copy to the' shall be deleted thereafter, after the word centre, the words **'and the Centre in turn shall communicate it to the parties'** shall be added.

[**NOTE:** *As per the existing Rule 17(1), the Arbitrator is required to communicate his consent to the parties. Many Arbitrators have expressed their practical difficulty in communicating to the parties. Hence, if the Arbitrators communicate their consent to the Centre, the Centre in turn can communicate to the parties. Hence, the amendment.*]

14. Amendments to the Rule 18:

In Sub-Rule(1) after the word 'and' delete the word 'send' and same shall be substituted by the word **'submit'.**

In the said Sub-Rule, after the word 'Arbitral Tribunal shall', the words **'conduct a Preliminary meeting with the parties and Pass an procedural order fixing the timeline of Arbitration having due regard to Sec 29A of the 'Act'. The time–table shall specify'** shall be inserted by deleting the words 'draw up a document defining the Terms of Reference'

The existing Sub-Rule(2) shall be deleted and the following paragraphs shall be inserted by adding to the existing Sub-Rule 1 as Sub-Rules 1(a) to (c) so as to arrange the Sub-Rules as 1(a) to (f) by inserting the following:

(a) the period within which the parties would file statement of Admissions and denials on allegations of fact as are made in the pleadings or in any documents.

(b) the period within which the parties would agree to dispense with formal proof of documents, except in case of questioned documents.

(c) the period within which (after recording the admissions and denials if any) the terms of reference or points for consideration have to be determined.

The existing Sub-Rules (a) to (c) of Sub-Rule shall be rearranged as Sub-Rules1(d) to (f).

[**Note:** *The above amendments are in line with new Sec 29 A inserted vide Amendment Act, 2015 to fix time line for Arbitration*.]

15. Amendments to the Rule 21:

After Sub-Rule(1) the following provisos to be inserted:

Provided, that if the parties to an arbitration agreement agree in writing to have their dispute resolved by fast track procedure as specified in Sec 29B of the 'Act', the Arbitral Tribunal shall conduct arbitration proceedings as contemplated in sub sec 3 of sec 29B of the 'Act'

Provided, further that the Arbitral Tribunal shall, as far as possible, conduct arbitral proceedings for the presentation of evidence or for oral argument on day-to-day basis, and not grant any adjournments unless sufficient cause is made out, and may impose costs, including exemplary costs, on the party seeking adjournment without any sufficient cause.

[Note 1: *The amendment to insert first proviso is in line with Fast track procedure specified in New Sec 29B of Amendment Act, 2015.*

Note 2: *The amendment to insert the second proviso is in line with Newly Ins proviso to Sec 24 vide Amendment Act, 2015.***]**

PART – V

TIME SCHEDULE FOR THE ARBITRATION

16. Amendment to the Rule 23:

The existing Sub-Rules (1) & (2) shall be deleted and to be substituted by the following :

(1) The award shall be made within a period of twelve months from the date on which the arbitrator or all the arbitrators, as the case may be, have received notice, in writing, of their appointment by fixing time line procedure as prescribed in Rule 18.

(2) The procedure as to incentives to the Arbitral Tribunal and extension of time shall be in accordance with Sub Sec's (3) to (9) of Sec 29A of the 'Act'.

Provided, that the parties to an Arbitration Agreement may choose to adopt fast track procedure contemplated under Sec. 29B of the Act.

[Note: *Amendment is in consonance with New Sec 29A of Amendment Act, 2015*].

PART – VI

RULES OF PROCEDURE

17. Amendment to the Rule 28:

In Sub-Rule (3) after the word 'follow the cause', the words **'In default, the consequences as provided in second proviso to Sec 38 (2) of the Act shall follow'**, shall be added.

To add Rule 3(a):

3(a) When the respondent fails to deposit such sums of money towards arbitrators' fee, administrative expenses, miscellaneous expenses, etc., either by remaining ex-parte or fails to participate at any stage of the proceedings, it is deemed that the respondent has waived his right to contest the proceedings further.

[Note: *The above amendment is in consonance with Sec.25 (b) as amended vide Amendment Act, 2015 and proviso to Sec 38 of Arbitration & Conciliation Act*].

In Sub-Rule(7) after the word 'demand draft' the words **'or bankers cheque'** and after the word **'Pay Order',** the words, **'or in any Electronic mode'** as well after the word, 'Arbitration' the word 'Arbitration **& Conciliation** Centre –Bengaluru' shall be inserted

18. Amendment to Rule 29. Arbitrator's Fee:

To revise the Fee schedule subject to maximum ceiling limit is here under:

Sum in dispute	The Existing Fee Schedule	Fee Schedule
Upto ₹. 10,00,000/- (Rupees Ten Lakh only)	₹. 50,000/- (Rupees Fifty Thousand only)	₹.50,000/-(Rupees fifty thousand only)
Above ₹.10,00,001/- (Rupees Ten Lakh and One only) upto ₹.40,00,000/- (Rupees Forty Lakh only)	₹.75,000/- (Rupees Seventy Five Thousand only)	₹.1,10,000/- (Rupees one lakh ten thousand only)
Above ₹.40,00,001/- (Rupees Forty Lakh and One only) upto ₹.1,00,00,000/- (Rupees One Crore only)	₹.75,000/- (Rupees Seventy Five Thousand) plus 1% of the fee over and above ₹.40,00,000/- (Rupees Forty Lakh) subject to a maximum fee of Rs.1,00,000/- (Rupees One Lakh)	**₹.1,10,000/-** (Rupees one lakh ten thousand only) plus 1% of claim amount over and above ₹.40,00,000/- (Rupees forty lakh only) subject to ceiling cap of **₹.1,45,000/- (Rupees one lakh forty five thousand only)**
Above ₹.1,00,00,001/- (Rupees One Crore and One only) upto ₹.10,00,00,000/- (Rupees Ten Crore only)	₹. 1,00,000/- plus 1% of the fee over and above ₹.1,00,00,000/- (Rupees One Crore) subject to a maximum fee of ₹.4,00,000/- (Rupees Four Lakh)	**₹. 1,45,000/- (Rupees one lakh forty five thousand only)** plus **1%** of claim amount over and above ₹.1,00,00,000/- (Rupees one Crore only) subject to ceiling cap of **₹.5,80,000/- (Rupees five lakh eighty thousand only)**

Sum in dispute	The Existing Fee Schedule	Fee Schedule
Above ₹.10,00,00,001/- (Rupees Ten Crore and One only) upto ₹.20,00,00,000/- (Rupees Twenty Crore only)	₹. 4,00,000/- plus 1% of the fee over and above ₹.10,00,00,000/- (Rupees Ten Crore) subject to a maximum fee of ₹.6,00,000/- (Rupees Six Lakh)	**₹.5,80,000/- (Rupees five lakh eighty thousand only)** plus **1%** of claim amount over and above ₹.10,00,00,000/- (Rupees ten crores only) subject to ceiling cap of **₹.8,70,000/- (Rupees eight lakh seventy thousand only)**
Above ₹.20,00,00,001/- (Rupees Twenty Crore and One only)	₹. 6,00,000/- plus 1% of the fee over and above ₹.20,00,00,000/- (Rupees Twenty Crore) subject to a maximum fee of ₹.8,00,000/- (Eight Lakh)	**₹.8,70,000/- (Rupees eight lakh seventy thousand only)** plus **1%** of claim amount over and above ₹.20,00,00,000/-(Rupees twenty crores only) subject to ceiling cap of **₹.12,00,000/- (Rupees twelve lakhs only)**

[NOTE: *The above amendments are to revise the existing Fee Schedule, taking into consideration of inflation rate in India from 2012 until 2016, which was averaged 7.90 percent P.A. during said period. Secondly, the increase of Dearness Allowance rates declared by the Union Govt. from time to time is also taken in to consideration, which was enhanced at the rate of 45% for a period 2012 December to 2016 January. Accordingly, the Amendments are to revise the Fee Schedule at the rate of 45%*.**]**

To add the following notes after the note No.4:

5) In the event of claim or counter claim having more than one relief the arbitrator's fee shall be calculated as follows:

(a) In any claim or counter claim, in which separate and distinct reliefs based on the same cause of action are sought, the arbitrator's fee shall be determined on the aggregate value of the reliefs.

Provided that, if any relief is sought only as ancillary to the main relief the arbitrator fee shall be determined on the value of the main relief.

(b) Where reliefs are sought in the alternative in any claim/Counter claim, the arbitrator's fee shall be determined with the highest of the fees on the reliefs.

[**NOTE:** *The above is just to have clarity regarding calculation of fee.*]

6) In the event of termination of Arbitral proceedings;

(a) Before filing of written response, the Arbitrator's shall be paid **30%** of the fee calculated as above.

(b) After framing of issues or terms of reference and before cross examination of any witness (including the parties), the Arbitrator's shall be paid **50%** of the fee calculated as above.

[**NOTE:** *There are instances, where the arbitral proceedings are being terminated at earliest stage by way of compromise or otherwise. In such circumstances, the parties may feel that they are unduly burdened to pay the entire fee, though there will not be full participation of the Arbitrator in the proceedings*.]

19. Amendment to Rule 30:

To revise the administrative Expenses schedule as here under:

Sum in dispute	The Existing Schedule	Schedule
If the value of the claims/disputes does not exceed ₹.50,00,000/- (Rupees Fifty Lakh only)	₹.10,000/-(Rupees Ten Thousand only)	₹.20,000/- (Rupees Twenty Thousand only)
If the value of the claims/disputes is between ₹.50,00,001/- (Rupees Fifty Lakh and One only) and ₹.5,00,00,000/- (Rupees Five Crore only)	₹.20,000/-(Rupees Twenty Thousand only)	₹.30,000/- (Rupees Thirty Thousand only)
If the value of the claims/disputes exceeds ₹.5,00,00,000/- (Rupees Five Crores only)	₹.30,000/- (Rupees Thirty Thousand only)	₹.40,000/- (Rupees Forty Thousand only)

Note: Any Claim or dispute which is not valued in terms of money, shall attract a minimum deposit of ₹.30,000/- (Rupees Thirty Thousand only).

Pro-Bono Arbitrator

In the event of availment of *Pro-Bono* Arbitrator's service, the parties are exempted from paying Arbitrator's fee. However the Administrative and miscellaneous/sitting expenses are minimized by fixing the consolidated sum as hereunder;

If the value of the claims/disputes does not exceed ₹.3,00,000/- (Rupees Three Lakh Only)	₹.3,000/- (Rupees Three Thousand Only)
If the value of the claims/disputes is between ₹.3,00,001/- (Rupees Three Lakh One Rupee only) to ₹.5,00,000 (Rupees Five Lakh only)	₹.5,000/- (Rupees Five Thousand Only)

[**NOTE***:* *This is in consonance with the provision for providing services of Pro-Bono Arbitrator*].

20. Amendment to Rule 31:

To add after 1st para :-

In the event of any party to the arbitration proceedings seeking reliefs as provided under Sec. 17 of the Act, after passing of the award and before its enforcement, the fee and expenses payable in respect of such additional proceedings shall be as determined by the Board on a case to case basis.

[**NOTE:** *The above amendment is in view of the amendment to Sub-Section (1) of Sec. 17 vide Amendment Act, 2015 enabling the party to seek interim measures by Arbitral Tribunal* ***at any time after making the Arbitral Award but before it is enforced.***]

21. Amendment to Rule 32:

To Substitute Sub-Rule 8 as follows by deleting the existing Sub Rule ;

(8) The costs of Arbitration shall be determined by the Arbitral Tribunal in accordance with Sec 31A of the 'Act'

[**NOTE:** *Amendment is in view of new cost regime inserted in new Sec 31 A of the Amendment Act, 2015*.]

22. Amendments to incorporate provisions regarding International Arbitrations by inserting a separate Part – VII and by inserting Rules 34 to 39.

The existing Part VII – General provisions to be rearranged as Part-X and the rules therein shall be rearranged as Rules 64 to 66 instead of existing Rules 34 to 36.

PART – VII

INTERNATIONAL ARBITRATIONS

34. Laws applicable to the substance of the dispute

The Arbitral Tribunal shall decide the dispute in accordance with the rules of law designated by the parties as applicable to the substance of the dispute failing such designation by the parties; the Arbitral Tribunal shall apply the law which it determines to be appropriate.

35. Laws applicable to the arbitration proceedings

Unless otherwise agreed by the parties the law governing the arbitration proceedings shall be the laws in force in India.

36. Language

(1) The parties are free to agree upon the language or languages to be used in the arbitration proceedings.

(2) Failing any agreements referred to in sub rule (1), the arbitral tribunal shall determine the language or languages to be used in the arbitration proceedings.

(3) The agreement or determination, unless otherwise specified, shall apply to any written statement by a party, any hearing or any arbitral award, decision or other communication by the arbitral tribunal.

(4) The arbitral tribunal may order that any pleadings or other documentary evidence shall be accompanied by a translation into the language or languages agreed upon by the parties or determined by arbitral tribunal.

37. Seat of Arbitration

The parties may agree on the seat of arbitration. Failing such an agreement, the seat of arbitration shall be at Bengaluru, unless the Tribunal determines, having regard to all the circumstances of the case, that another seat is more appropriate.

The Tribunal may hold hearings and meetings by any means it considers expedient or appropriate and at any location it considers convenient or appropriate.

38. Arbitrators' fee in International Arbitration

Sum in Dispute (US $ or equivalent in Rupees)	Arbitrator's fees
Upto $50,000 or equivalent in Rupees	₹.2,00,000/-
From $ 50,001 to 1,00,000 or equivalent in Rupees	₹.2,00,000/- plus 6% of the fee over & above $50,000 or equivalent in Rupees

Sum in Dispute (US $ or equivalent in Rupees)	Arbitrator's fees
From $ 1,00,001 to 5,00,000 or equivalent in Rupees	₹.4,01,000/- plus 6% of the fee over & above $1,00,000 or equivalent in Rupees
From $ 5,00,001 to 10,00,000 or equivalent in Rupees	₹.20,09,000/- plus 4% of the fee over & above $5,00,000 or equivalent in Rupees
From $ 10,00,001 to 20,00,000 or equivalent in Rupees	₹.33,49,000/- plus 2% of the fee over & above $10,00,000 or equivalent in Rupees
From $ 20,00,001 to 50,00,000 or equivalent in Rupees	₹.53,59,000/ plus 1% of the fee over & above $20,00,000 or equivalent in Rupees
From $ 50,00,001 to 1,00,00,000 or equivalent in Rupees	₹.70,34,000/- plus .50% of the fee over & above $50,00,000 or equivalent in Rupees
From $ 1,00,00,001 to 5,00,00,000 or equivalent in Rupees	₹.1,37,34,000/- plus .25% of the fee over & above $1,00,00,000 or equivalent in Rupees
From $ 5,00,00,001 to 8,00,00,000 or equivalent in Rupees	₹.1,87,59,000/- plus .25% of the fee over & above $5,00,00,000 or equivalent in Rupees
Above $ 8,00,00,001 or equivalent in Rupees	₹.2,07,69,000/- plus 0.1% of the fee over & above $8,00,00,000 or equivalent in Rupees subject to a ceiling of Rs.2,20,00,000/-

Note: 1) Any Claim or dispute which is not valued in terms of money, shall attract a minimum fee of Rs.5,00,000/- (Rupees Five Lakh only), any fee in excess of the same shall be as agreed upon by the parties.

2) In the event of claim and counter-claim, the Arbitrator's fee shall be calculated on the aggregate of the claim and counter-claim.

3) The fee fixed above is in respect of a single Arbitrator. The fee at the same rate shall be payable to any additional Arbitrator.

4) In the event of an Arbitrator chosen from the Panel of Arbitrators or nominated, who is not in the panel is from a place other than Bengaluru the party nominating such Arbitrator, shall alone bear all expenses of such Arbitrator, apart from the fee payable as per the schedule, for his participation in the Arbitration proceedings.

5) In the event of claim or counter claim having more than one relief the arbitrator's fee shall be calculated as follows:

(a) In any claim or counter claim, in which separate and distinct reliefs based on the same cause of action are sought, the arbitrator's fee shall be determined on the aggregate value of the reliefs.

Provided that, if any relief is sought only as ancillary to the main relief the arbitrator fee shall be determined on the value of the main relief.

(b) Where reliefs are sought in the alternative in any claim/Counter claim, the arbitrator's fee shall be determined with the highest of the fees on the reliefs.

[NOTE: *The above is just to have clarity regarding calculation of fee.***]**

6) In the event of termination of Arbitral proceedings;

(a) Before filing of written response, the Arbitrator's shall be paid 30% of the fee calculated as above.

(b) After framing of issues or terms of reference and before cross examination of any witness (including the parties), the Arbitrator's shall be paid 50% of the fee calculated as above.

NOTE: There are instances, where the arbitral proceedings are being terminated at particular stage by way of compromise or otherwise. In such circumstances, the parties may feel that they are unduly burdened to pay the entire fee, though there will not be full participation of the Arbitrators in the proceedings.

39. Administrative Expenses in International Arbitration-

The parties shall deposit Administrative Expenses as indicated below, before the dispute is referred to the Arbitral Tribunal:

Sum in Dispute (in Rupees or equivalent in US $)	Administrative Expenses
If the value of the claims/disputes does not exceed $1,00,000/- or equivalent in Rupees	₹.20,000/- (Rupees Twenty Thousand only) or equivalent in US $
If the value of the claims/disputes is between $2,00,001/- to $5, 00,000/- or equivalent in Rupees	₹.30,000/- Rupees Thirty Thousand only) or equivalent in US $
If the value of the claims/disputes exceeds $5,00,001/- or equivalent in Rupees	₹.40,000/- (Rupees Fourty Thousand only) or equivalent in US $

Note: Any Claim or dispute which is not valued in terms of money, shall attract a minimum deposit of ₹.30,000/-(Rupees Thirty Thousand only) or equivalent in US $

In addition to the Administrative Expenses as above, the parties shall also pay a sum of ₹.3,000/- (Rupees Three Thousand only) or equivalent in US $ per day (irrespective of the duration of the sitting on a given day) for the use of the facilities of the Centre on the days the Arbitral Tribunal holds its sittings. The above expenses shall be shared by all the parties, equally.

The Government of India and the Government of Karnataka are exempted from payment of Administrative Expenses and Other Miscellaneous Expenses. The Board of Governors, at their discretion, may exempt such other entity from payment of the above expenses.

23. Amendments to incorporate provisions regarding Conciliation Procedure by inserting a separate Parts – VIII to IX and by inserting Rules 40 to 63.

PART - VIII

CONCILIATION PROCEEDURE

40. Commencement of Conciliation Proceedings –

(1) The party initiating conciliation shall send to the other party a written invitation to conciliate under these Rules, briefly identifying the subject of the dispute.

(2) Conciliation proceedings shall commence when the other party accepts in writing the invitation to conciliate.

(3) If the other party rejects the invitation, there will be no conciliation proceedings.

(4) If the party initiating conciliation does not receive a reply within thirty days from the date on which he sends the invitation, or within such other period of time as specified in the invitation, he may elect to treat this as a rejection of the invitation to conciliate and if he so elects, he shall inform in writing the other party accordingly.

or

(5) Where parties to a contract have agreed that any dispute or difference which may arise or has arisen, out of or in relation to a contract, shall be referred to Conciliation in accordance with these Rules, the same shall be referred accordingly.

(6) These Rules shall also apply where the parties sign a joint memorandum agreeing that their dispute shall be referred to Conciliation in accordance with these Rules or when the same is so referred through any proceedings including:

(a) under Section 89 of the Code of Civil Procedure, 1908;

or

(b) Where parties to any International contract, have agreed to submit their disputes or differences to Conciliation in accordance with these rules.

41. Request for Conciliation:

(1) Any person desirous of initiating conciliation under these rules at the Centre shall submit his request to the Directorate with a copy marked to the opponent briefly identifying the subject of the dispute.

(2) the request shall contain the following information-

(a) name in full, description, contact details and address of each of the parties, complete details including e-mail addresses, if any;

(b) a brief description of the nature and circumstances of the dispute giving rise to the claim;

(c) statement of the relief sought, including an indication of any amount claimed along with supporting documents, if any;

(d) relevant agreements and, in particular, an extract of the written conciliation clause or the deed of conciliation agreement, if separately contained.

(e) provisional terms of proposed settlement identifying the subject of dispute and the issues to be conciliated;

(f) all relevant particulars concerning the Conciliators, their number, qualifications, if any, prescribed in the conciliation agreement on which parties have already agreed in writing;

(g) the order of the Court, if any, passed in proceedings referred to in these Rules, along with a signed joint memorandum.

(3) The party initiating conciliation shall submit sufficient number of copies of the Request being one copy for the Centre, one copy for each conciliator (if the number of conciliators is mentioned in the conciliation agreement) and one copy for each of the other party.

42. Number of conciliators - (1) There shall be one conciliator unless the parties agree that there shall be two or three conciliators.

(2) Where there is more than one conciliator, they ought, as a general rule, to act jointly.

43. Appointment of conciliators - (1) Subject to sub – rule (2)

(a) in conciliation proceedings with one conciliator, the parties may agree on the name of a sole conciliator;

(b) in conciliation proceedings with two conciliators, each party may appoint one conciliator;

(c) in conciliation proceedings with three conciliators, each party may appoint one conciliator and the parties may agree on the name of the third conciliator who shall act as the presiding conciliator.

(2) The parties may agree to enlist the assistance of the Centre and request the Centre to recommend the names of suitable individuals to act as Conciliator(s).

or

The parties may agree that the appointment of one or more conciliator(s) be made directly by the Centre.

44. Consent of Conciliators – (1) Soon after the selection of Conciliators, the Director shall send an official communication to that effect to the parties and to the Conciliators. The Conciliators so chosen shall give their consent in writing to the Centre in a prescribed form as provided in Schedule – VIII. Copy of such consent shall be sent to the parties by the Directorate.

(2) In the event of any circumstance not provided for herein above, the President, in consultation with the Board of Governors, shall have the power to determine the number of Conciliators and the Conciliators to be appointed from the panel of Conciliators in order to expedite the conciliation proceedings. The parties, however, shall be heard before any such orders are passed by the President.

45. **Submission of statement to conciliator**- (1) The conciliator, upon his appointment, may request each party to submit to the Centre a brief statement describing the general nature of the dispute and the points at issue. Each party shall furnish a copy of such statement to the other party.

(2) The Conciliator may request each party to submit to the Centre a further statement of his position and the facts and grounds in support thereof, supplemented by any documents and other evidence that such party deems appropriate. The party shall send a copy of such statement, documents and other evidence to the other party.

(3) During the conciliation proceedings, the conciliator may request a party to submit to him such additional information as he deems appropriate.

46. Representation and assistance.— Each party shall advise, in writing, the other party and the conciliator of -

(a) the name and address of any person who will represent or assist him, and

(b) the capacity in which the person will represent.

47. Role of conciliator.- (1) The conciliator shall assist the parties in an independent and impartial manner in their attempt to reach an amicable settlement of their dispute.

(2) The conciliator shall be guided by principles of objectivity, fairness and justice, giving consideration to, among other things, the rights and obligations of the parties, the usages of the trade concerned and the circumstances surrounding the dispute, including any previous business practices between the parties.

(3) The conciliator may conduct the conciliation proceedings in such a manner as he considers appropriate, taking into account the circumstances of the case, the wishes the parties may express, including any request by a party that the conciliator hear oral statements, and the need for a speedy settlement of the dispute.

(4) The conciliator-may, at any stage of the conciliation proceedings, make proposals for a settlement of the dispute. Such proposals need not be in writing and need not be accompanied by a statement of the reasons therefor.

48. Communication between conciliator and parties- (1) The conciliator may invite the parties to meet him or may communicate with them orally or in writing. He may meet or communicate with the parties together or with each of them separately. Such meeting shall be at the Centre only.

49. Disclosure of information-

When the conciliator receives factual information concerning the dispute from a party, he shall disclose the substance of that information to the other party in order that the other party may have the opportunity to present any explanation which he considers appropriate

Provided that when a party gives any information to the conciliator subject to a specific condition that it be kept confidential, conciliator shall not disclose that information to the other party.

50. Co-operation of parties with conciliator-

The parties shall in good faith co-operate with the conciliator and, in particular, shall comply with requests by the conciliator to submit written materials, provide evidence and attend meetings.

51. Suggestions by parties for settlement of dispute- Each party may, on his own initiative or at the invitation of the conciliator, submit to the conciliator suggestions for the settlement of the dispute.

52. Settlement agreement- (1) when it appears to the conciliator that there exist elements of a settlement which may be acceptable to the parties, he shall formulate the terms of a possible settlement and submit them to the parties for their observations. After receiving the observations of the parties, the conciliator may reformulate the terms of a possible settlement in the light of such observations.

(2) If the parties reach agreement on a settlement of the dispute, they may draw up and sign a written settlement agreement. If requested by the parties, the conciliator may draw up, or assist the parties in drawing up, the settlement agreement.

(3) Settlement agreement shall bear the date and place of settlement.

(4) The conciliator shall authenticate the settlement agreement and furnish a copy thereof to each of the parties.

53. Termination of conciliation proceedings.- The conciliation proceedings shall be terminated (a) by the signing of the settlement agreement by the parties; on the date of the agreement; or

(b) by a written declaration of the conciliator, after consultation with the parties, in the effect that further efforts at conciliation are no longer justified, on the date of the declaration; or

(c) by a written declaration of the parties addressed to the conciliator to the effect that the conciliation proceedings are terminated , on the date of the declaration; or

(d) by a written declaration of a party to the other party and the conciliator, if appointed, to the effect that the conciliation proceedings are terminated, on the date of the declaration.

54. Costs.- (1) Upon termination of the conciliation proceedings, the Director shall assess the costs of the conciliation and give written notice thereof to the parties.

(2) For the purpose of sub-section (1) "costs" means reasonable costs relating to

(a) the fee and expenses of the conciliator and witnesses requested by the conciliator, with the consent of the parties;

(b) any expert advice requested by the conciliator with the consent of the parties;

(c) any assistance provided pursuant to clause (b) of sub-section (2) of section 64 and section 68.

(d) any other expenses incurred in connection with the conciliation proceedings and the settlement agreement.

(3) The costs shall be borne equally by the parties unless the settlement agreement provides for a different apportionment. All other expenses incurred by a party shall be borne by that party.

55. Deposits – (1) The Director may require the parties, before referring the case to the Conciliator, to deposit in advance in one or more instalments, such sums of money as he deems necessary to defray miscellaneous expenses and the Conciliator's fee.

(2) The deposits shall be called for in equal share from the parties unless the conciliation agreement provides for a different apportionment. The Director may, during the course of the conciliation proceedings, require further sums to be deposited by the parties or anyone of them to meet the costs of the conciliation.

(3) All deposits towards administrative expenses, miscellaneous expenses and Conciliator(s) fee shall be made through the Centre and no payment shall be made directly to the Conciliator(s), by the parties. The deposit made by the parties shall be taken into account by the Conciliator in apportioning the costs while accepting the terms of agreement. Any deposit made in excess shall be refunded to such party as the Conciliator may direct.

(4) The Centre shall have a lien on the settlement agreement or terms of agreement for any unpaid costs and fees of the conciliation.

(5) All the deposits towards the Administrative Expenses, other expenses and the Conciliator's fee shall be paid by the parties in the form of Demand draft or Bankers Cheque or Pay Order or any electronic mode drawn in favour of the Director, Arbitration and conciliation Centre –Bengaluru.

(6) The Director shall decide any dispute, as between the parties, regarding the quantum, the liability or any other issue regarding the deposit of the conciliators fee; administrative and miscellaneous expenses and such decision shall be final.

56. Notices and Communications in conciliation proceedings -All notices or communications from the Director and the Conciliator shall be in writing and deemed to have been duly delivered when sent to the last known address of the party or the duly notified representative of the parties. Such notice or communication may be made by any one of the following modes, namely, delivery against receipt, registered post, courier, facsimile transmission, telex, telegram or any other means of electronic communication that provides a record of such communication.

57. Hearing Procedure in conciliation proceedings - (1) Unless agreed between the parties in writing, the Conciliator shall hold oral hearings.

(2) Unless the Conciliator decides to undertake site inspection or holds hearings in such other place for any reason as it may deem necessary, all hearings shall take place in the Centre at Bengaluru or any other Centre established as per these Rules.

(3) All meetings and hearings shall be in camera.

PART - VIII

TIME SCHEDULE FOR THE CONCILIATION

58. Duration of conciliation proceedings – (1) Normally, all conciliation proceedings through the medium of the Centre shall be concluded within a period of 90 (Ninety) days from the date of first meeting of the conciliator and the parties concerned. Except that in cases involving complicated and contentious issues, the period may stand extended by the Conciliator for a period not exceeding 30 (thirty) days, by mutual consent of the parties.

(2) In exceptional circumstances, the Board of Governors, on the request of the parties and the Conciliator, shall have the powers to extend the time, if any such occasion arises.

PART – IX

RULES OF PROCEDURE

59. Default of parties – If any party to a conciliation proceedings fails to participate at any stage of the same, the proceedings shall be closed. However, this shall not preclude such party from participating in any subsequent proceedings of the Conciliation with the leave of the Conciliator, on such terms as it may impose.

60. Default of Conciliators – When, after appointment of the Conciliator, a Conciliator fails to participate in two hearings, without sufficient cause, his mandate to act as a Conciliator shall stand terminated and the Board of Governors shall appoint another Conciliator in consultation with the parties and the newly appointed Conciliator shall continue the proceedings from the stage at which it stood prior to substitution of the Conciliator.

61. Conciliator's Fee:

Conciliator's Fee

Amount in Dispute	Fees
Upto ₹.10,00,000/- (Rupees Ten Lakh only)	₹.30,000/-
Above ₹.10,00,001/- (Rupees Ten Lakh and One only) upto ₹.40,00,000/- (Rupees Forty Lakh only)	₹.30,000/- (Rupees Thirty thousand) plus 1.5% of the fee over and above ₹.10,00,000/- subject to ceiling cap of ₹.60,000/-
Above ₹.40,00,001/- (Rupees Forty Lakh and One only) upto ₹.1,00,00,000/- (Rupees One Crore only)	₹.60,000/- (Rupees Sixty thousand) plus 1.5% of the fee over and above ₹.40,00,000/- subject to ceiling cap of ₹.1,50,000/-
Above ₹.1,00,00,001/- (Rupees One Crore and One only) upto ₹.10,00,00,000/- (Rupees Ten Crore only)	₹.1,50,000 (Rupees One lakh fifty thousand) plus 1.5% of the fee over and above ₹.1,00,00,000/- to ceiling cap of ₹.2,40,000/-
Above ₹.10,00,00,001/- (Rupees Ten Crore and One only) upto ₹.20,00,00,000/-(Rupees Twenty Crore only)	₹.2,40,000/- (Rupees two lakhs forty thousand) plus 1.5% of the fee over and above ₹.10,00,00,000/- subject to ceiling cap of ₹.3,15,000/-
Above ₹.20,00,00,001/- (Rupees Twenty Crore and One only)	₹.3,15,000/- (Rupees three lakhs fifteen thousand) plus 1.5% of the fee over and above ₹.20,00,00,000/- subject to ceiling cap of ₹.5,00,000/-

Note: 1) Any Claim or dispute which is not valued in terms of money, shall attract a minimum fee of ₹.60,000/- (Rupees Sixty thousand only), any fee in excess of the same shall be as agreed upon by the parties.

(2) The fee fixed above is in respect of a single Conciliator. The fee at the same rate shall be payable to any additional Conciliator. In the event of termination of conciliation proceedings in less than three sittings the fee payable by the parties to the conciliator is 30% of the fee assessed as per Rule 55.

(3) In the event of an Conciliator chosen from the Panel of Conciliators or nominated, who is not in the panel is from a place other than Bengaluru, the party nominating such Conciliator, shall alone bear all expenses of such Conciliator, apart from the fee payable as per the schedule, for his participation in the conciliation proceedings.

62. **Administrative Expenses-**

The parties shall deposit Administrative Expenses as indicated below, before the dispute is referred to the Conciliator:

If the value of the claims/disputes does not exceed ₹.50,00,000/- (Rupees Fifty Lakh only)	₹.5,000/-(Rupees Five Thousand only)
If the value of the claims/disputes is between ₹.50,00,001/- (Rupees Fifty Lakh and One only) and ₹.5,00,00,000/- (Rupees Five Crore only)	₹.10,000/-(Rupees Ten Thousand only)
If the value of the claims/disputes exceeds ₹.5,00,00,000/- (Rupees Five Crores only)	₹.15,000/- (Rupees Fifteen Thousand only)

Note: Any Claim or dispute which is not valued in terms of money, shall attract a minimum deposit of ₹.10,000/- (Rupees Ten Thousand only).

In addition to the Administrative Expenses as above, the parties shall also pay a sum of ₹.3,000/- (Rupees Three Thousand only) per day (irrespective of the duration of the sitting on a given day) for the use of the facilities of the Centre on the days the Conciliator holds its sittings. The above expenses shall be shared by all the parties, equally.

The Government of India and the Government of Karnataka are exempted from payment of Administrative Expenses and other Miscellaneous Expenses. The Board of Governors, at their discretion, may exempt such other entity from payment of the above expenses.

In the event of availment of Pro-Bono Conciliator's service, the parties are exempted from paying Conciliators fee. However the Administrative and Miscellaneous Expenses are minimized by fixing the consolidated sum as hereunder;

If the value of the claims/disputes does not exceed ₹.3,00,000/- (Rupees Three Lakh Only)	₹.3,000/- (Rupees Three Thousand Only)
If the value of the claims/disputes is between ₹.3,00,001/- (Rupees Three Lakh One Rupee only) to ₹.5,00,000 (Rupees Five Lakh only)	₹.5,000/- (Rupees Five Thousand Only)

63. Additional Fees and Expenses – The Conciliator shall be entitled to allow fees and expenses of witnesses, cost of legal or technical advice or proceedings in respect of any matter arising out of the conciliation and any other incidental expenses and charges in connection with or arising out of the reference as the Conciliator shall, in his absolute discretion, think fit and the same shall form part of cost.

24. Amendments to the existing schedules I to V so as to substitute the name of the Rules as **'The Arbitration & Conciliation Centre Rules, 2012'** by deleting the existing name of the Rules as the Arbitration Centre – Karnataka (Domestic and International) Rules, 2012. As well, to substitute the name of the Centre in the above schedules as **The Arbitration & Conciliation Centre – Bengaluru (Domestic & International)** by deleting the words Arbitration Centre – Karnataka (Domestic and International).

25. To Add Schedule- IA

SCHEDULE -IA

JOINT MEMORANDUM OF THE PARTIES TO THE CONCILIATION :

We hereby agree that the dispute, which has arisen between us in respect of our contract __________________ (give details) dated _____________ is hereby referred to conciliation in accordance with the Arbitration & Conciliation Centre Rules, 2012.

In Witness Whereof, this Agreement has been signed on this ________ Day of _________ Month of ________ (year) at _____________ by:

Parties:

1. _________________________________

2. _________________________________

26. To Add Schedule- VI

SCHEDULE – VI

MODEL ARBITRATION CLAUSE

Any dispute or difference or claim arising out of, or in connection with, or relating to the present contract or the breach, termination or invalidity thereof, shall be referred and settled under the Arbitration & Conciliation Centre Rules, 2012 by one or more arbitrators appointed in accordance with its rules.

Note: Parties may add the following:

a) The number of arbitrator(s) shall be...........................

b) The language of the Arbitration Proceedings shall be............

c) Specific qualifications of the arbitrator(s) including language, technical qualifications and experience, if any.

d) Laws applicable to the substance of the dispute

NOTE: *To make the parties aware as to in what form they could incorporate Arbitration Clause so as to seek reference to arbitration before our Centre.*

27. To Add Schedule- VII

SCHEDULE – VII

CURRICULUM VITAE

(Conciliator)

For use of Arbitration & Conciliation Centre – Bengaluru (Domestic & International).

☐ Mr. ☐ Mrs. ☐ Ms.

Last Name : ____

First Name : ____

Date of birth : ____

Personal Address :____

____

____

Telephone : ____

Telefax : ____

E-Mail : ____

Office Address (including company or firm name where applicable):

Telephone : ____

Tele-fax : ____

E-Mail : ____

Please indicate the address preferred for correspondence

☐ Personal ☐ Office

Qualification and Experience:

(Please indicate if any assistance of a translator or an interpreter is required during the course of arbitration.)

Date : ____________________

Signature : ____________________

28. To Ad schedule – IX

SCHEDULE -IX

MODEL CONCILIATION CLAUSE

Where, in the event of dispute or difference or claim arising out of, or in connection with, or relating to the present contract or the breach, termination or invalidity thereof, the parties wish to seek an amicable settlement of such dispute by conciliation, the conciliation shall take place in accordance with the Arbitration & Conciliation Centre Rules, 2012 by one or more conciliators appointed in accordance with its rules.

Note: Parties may add the following:

a) The number of conciliator(s) shall be...........................

b) The language of the Conciliation Proceedings shall be...........

c) Specific qualifications of the conciliator(s) including language, technical qualifications and experience, if any.

Director

Arbitration Centre-Karnataka

(High Court of Karnataka), Bengaluru.

P.R. 2

SC-50

FINANCE SECRETARIAT

NOTIFICATION

No. FD 48 ATE 2007, Bengaluru, Dated : 9-11-2016.

Whereas the draft of the Karnataka General Services (Treasury Branch) (Recruitment) Rules, 2016, was published as required by clause (a) of sub section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karntaka Act 14 of 1990) in notification No. FD 48 ATE 2007, dated : 31-08-2016 in IV-A of the Karantaka Gazette Extraordinary No. 1062 dated : 1-09-2016 inviting objections and suggestions from all persons likely to be affected to be affected thereby within 15 days from the date of its publication in the official gazette.

Whereas the said gazette was made made available to the public on 1st September 2016.

And whereas the objections/suggestions with respect to the said draft rules have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section(1) of section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) the Government of Karnataka hereby makes the following rules, namely ;

RULES

1. Title and Commencement :- (1) These rules may be called the Karnataka General Services (Treasurey Branch) (Recruitment) Rules, 2016.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Method of Recruitment and Minimum qualification : - In respect of each category of posts and scale of pay specified in column (2) of the schedule-I below, the number and nature of posts, method of recruitment and minimum qualifications, if any, shall be specified in the corresponding entries in column (3), (4) and (5).

3. Training Modules :- In respect of the training modules, number and module name specified in column (1) and (2) of the schedule-II below, their Topic, Topic details, number of sessions and their duration shall be as specified in corresponding entries in column (3), (4), (5) and (6) thereof.

4. Mandatory core training modules :- In respect of the number and category of posts specified in column (1) and (2) of the schedule III the mandatory core training modules for promotion, their duration and refresher course shall be as specified in column(3), (4) and (5) thereof.

5. Repeal and savings :-The Karnataka General Services (Treasury Branch) (Recruitment) Rules, 1994 read with Karnataka General Services (Treasury Branch) (Recruitment) (Amendment) Rules, 1995 are hereby repealed.

Provided that, such repeal shall not affect :-

(a) The previous operation of the said rules or anything duly done or any action taken under the said rules ; or

(b) Any right, privilege, obligation or liability already acquired, accrued or incurred under the said rules.

By order and in the name of the Governor of Karnataka,

G. Shashidhar

Under Secretary to Government,

Finance Department. (Admn. & Adv.)

Schedule-I

(See Rule 2)

Sl. N.	Category 0f Posts and Pay Scale	No. of posts			Method of Recruitment	Minimum Qualification
		Permanent	Temporary	Deputation		
(1)	(2)	(3)			(4)	(5)
1.	**Director** **(52500-1350-60600-1500-69600-1700-73000)**	01	--	--	By posting of an officer of the I.A.S (Senior Scale) or from the cadre of K.A.S (Selection Grade) only.	--
2.	**Additional Director** **(44250-1050-45300-1200-52500-1350-60600)**	02	--	--	By promotion from the cadre of Joint Director.	**For promotion:-** 1. Must have put in service of not less than three years in the cadre of Joint Director. Provided that if officers who have put in service of not less than three years are not available, officers who have put in service of not less than one year shall be considered for promotion. 2. Must have successfully undergone mandatory trainings as prescribed in schedule III in the cadre of Joint Director as arranged and deputed by the department in order of the seniority. Notwithstanding anything contained in Clause (2) above, for the period of one year from the date of commencement of these rules, officers who are otherwise eligible for promotion and have completed at least one training among the trainings specified in schedule-III as on the date of promotion may be considered for promotion subject to condition that they shall complete the remaining mandatory refresher courses within one year from the date of promotion.

(1)	(2)	(3)			(4)	(5)
3.	**Joint Director** **(40050-1050-45300-1200-52500-1350-56550)**	**05**	**--**	**--**	By promotion from the cadre of Deputy Director.	**For promotion:-** (1) Must have put in a service of not less than five years in the cadre of Deputy Director. Provided that if officers who have put in a service of not less than five years are not available, officers who have put in service of not less than three years shall be considered for promotion. (2)Must have successfully undergone mandatory training as specified in schedule III in respect to the category of post of Deputy Director as arranged and deputed by the department in order of the seniority. Notwithstanding anything contained in Clause (2) above, for the period of three years from the date of commencement of these rules, officers who are otherwise eligible for promotion and have completed at least one training among the training modules specified in schedule-III as on the date of promotion may be considered for promotion subject to condition that they shall complete the remaining training module and mandatory refresher courses within two years from the date of promotion.
4.	**Deputy Director (36300-900-39000-1050-45300-1200-52500-1350-53850)**	**23**	**--**	**--**	By promotion from the cadre of Assistant Director (earlier District Treasury Officer).	**For promotion**:- (1) Must have put in a service of not less than five years in the cadre of Assistant Director (earlier District Treasury Officer). Provided that if officers who have put in service of not less than five years are not available, officers who have put in service of not less than three years shall be considered for promotion. (2) Must have successfully undergone mandatory training modules as specified in schedule III, in the cadre of Assistant Director(earlier District Treasury Officer), as arranged and deputed by the department in order of the seniority.

(1)	(2)	(3)			(4)	(5)
						Notwithstanding anything contained in Clause (2) above, for the period of three years from the date of commencement of these rules, officers who are otherwise eligible for promotion and have completed at least one training among the training modules specified in schedule-III as on the date of promotion may be considered for promotion subject to condition that they shall complete the remaining training modules and mandatory refresher courses within two years from the date of promotion.
5.	**Assistant Director (earlier District Treasury Officer)** **(28100-700-28800-800-33600-900-39000-1050-45300-1200-50100)**	**71**	**--**	**--**	Twenty Percent by Direct Recruitment in accordance with the Karnataka Recruitment of Gazetted probationers, (appointment by competitive examinations). Rules 1997; and Eighty Percent by promotion from the cadre of Assistant Treasury Officers.	**Training During Probation:** In respect of direct recruitees he must have successfully completed the specified induction training during the probationary period. **For promotion:**- (1) Must have put in a service of not less than five years in the cadre of Assistant Treasury Officer Provided that if officers who have put in service of not less than five years are not available, officers who have put in service of not less than three years shall be considered for promotion. (2) Must have successfully undergone mandatory trainings as prescribed in schedule III, in the cadre of Assistant Treasury Officer as arranged and deputed by the department in order of the seniority. Notwithstanding anything contained in Clause (2) above, for the next three years from the date of commencement of these rules officers who are otherwise eligible for promotion may be considered for promotion and have completed atleast one

(1)	(2)	(3)			(4)	(5)
						training among the training modules specified in schedule III as on the date of promotion with a condition that they shall complete the remaining trainings and mandatory refresher courses within two years from the date of promotion.
6.	**Assistant Treasury Officer** **(22800-600-24600-700-28800-800-33600-900-39000-1050-43200)**	**231**	**--**	**70**	Twenty five percent by Direct Recruitment in accordance with the Karnataka Recruitment of Gazetted probationers, (appointment by competitive examinations) Rules 1997. Seventy five percent by promotion from the cadre of Head Accountant.	**For Direct Recruits:** Must successfully complete the specified induction training during the probationary period. **For promotion:-** (1) Must have put in a service of not less than five years in the cadre of Head Accountant. Provided that if officers who have put in service of not less than five years are not available, officers who have put in service of not less than three years shall be considered for promotion. (2) Must have successfully undergone mandatory trainings as prescribed in schedule III, in the cadre of Head Accountant as arranged and deputed by the department in order of the seniority. Notwithstanding anything contained in Clause (2) above, for the next three years from the date of commencement of these rules. Officers, who are otherwise eligible for promotions and have completed at least one training module among the training modules specified in Schedule-III, may be considered for promotion subject to condition that they shall complete the remaining trainings and mandatory refresher courses within two years from the date of promotion.

(1)	(2)	(3)			(4)	(5)
7.	**Head Accountant** **(20000-500-21000-600-24600-700-28800-800-33600-900-36300)**	**368**	**--**	**--**	By promotion from the cadre of First Division Assistant. Provided that in Bengaluru Division, Promotion shall be from the cadre of First Division Assistant and Stenographer in the ration of 99:1. Every 100th vacancy shall be filled by promotion of Stenographer.	**For promotion**:- (1) Must have put in a service of not less than five years in the cadre of First Division Assistant/ Stenographer as the case may be. Provided that in case of Stenographer he/she must have worked in the cadre of First Division Assistant for a period of not less than one year, in addition to five years of service of Stenographers as specified above: Provided further that, if officers who have put in service of not less than five years are not available, officers who have put in service of not less than three years shall may consider for promotion. (2) Must have successfully undergone mandatory trainings as prescribed in schedule III, in the cadre of First Division Assistant/Stenographer as arranged and deputed by the department in order of the seniority. Notwithstanding anything contained in Clause (2), for the next three years from the date of commencement of these rules. Officers, who are otherwise eligible for promotion and have completed at least one training module among the mandatory training modules specified in schedule-III, may be considered for promotion subject to condition that they must complete the remaining trainings and mandatory refresher courses within two years from the date of promotion.
8.	**First Division Assistant** **(14550-350-15600-400-17200-450-19000-500-21000-600-24600-700-26700)**	**829**	**--**	**210**	Fifty Percent by Direct Recruitment in accordance with the Karnataka Civil Service (Recruitment of Ministerial posts)rules, 1978 and	**For Direct Recruits:** Must successfully complete prescribed Induction training during the probationary period.

(1)	(2)	(3)			(4)	(5)
					Fifty Percent by promotion from the cadre of Second Division Assistant.	**For promotion:** (1)Must have put in a service of not less than five years in the cadre of Second Division Assistant. Provided that, if persons who have put in not less than five years of service are not available, a person who has put in a service of not less than three years may be considered for promotion. (2) Must have successfully undergone mandatory training modules as prescribed in schedule III, in the cadre of Second Division Assistant as arranged and deputed by the department in order of the seniority. Notwithstanding anything contained in Clause (2), for the next three years from the date of commencement of these rules, officers who are otherwise eligible for promotion and have completed atleast one training module among the mandatory training modules specified in schedule-III, may be considered for promotion subject to condition that they shall successfully complete the remaining trainings and mandatory refresher courses within the period of two years from the date of promotion.
9.	**Stenographer** **(14550-350-15600-400-17200-450-19000-500-21000-600-24600-700-26700)**	**1**	**--**	**--**	**B**y promotion from the cadre of typist. If no eligible typist is available for promotion, by promotion from the Second Division Assistant, If no suitable Second Division Assistant is available for promotion, by Direct Recruitment in accordance with the Karnataka Civil Services (Recruitment to the post of Stenographers and Typists) Rules, 1983	**For Promotion:-** (1) Must possess the qualifications of Senior Typewriting and Senior Shorthand Examination in Kannada, conducted by the Department of Public Instruction or is a holder of a Diploma in Secretarial Practice or Diploma in Commercial Practice with Kannada Shorthand and Kannada Typewriting as optional (Elective) subjects granted by the Board of Technical Education in Karnataka or possess an equivalent qualification. (2) Must have put in a service not less than five years in the cadre of Typist or Second Division Assistant.

(1)	(2)	(3)			(4)	(5)
10.	**Typist** **(11600-200-12000-250-13000-300-14200-350-15600-400-17200-450-19000-500-21000)**	**39**	**--**	**--**	By Direct Recruitment in accordance with the Karnataka Civil Service (Recruitment to the post of Stenographers and Typists) Rules 1983.	--
11.	**Second Division Assistant** **(11600-200-12000-250-13000-300-14200-350-** **15600-400-17200-450-19000-500-21000)**	**798**	**--**	**--**	Sixty-seven Percent by Direct Recruitment in accordance with the Karnataka Civil Service (Recruitment of Ministerial posts) Rules 1978 and Thirty-three percent by Transfer of Drivers or by promotion from any of the cadres in Group 'D' services.	**For Direct Recruits:** Must successfully complete prescribed Induction training during the probationary period. **For Promotion:** (1)Must have passed P.U.C or equivalent examinations. Provided that, a pass in P.U.C. or equivalent course prescribed as qualification for promotion shall not be applicable for those who are already in service possessing S.S.L.C on the date of commencement of the Karnataka Civil Services (Recruitment to Ministerial Posts) (Amendment) Rules 2013 and (2)Must have put in a service not less than five years in the cadre of Drivers or in any one or more of the cadres in Group D services. Notwithstanding anything contained in Clause (2), for the next three years from the date of commencement of these rules, officers who are otherwise eligible for promotion and have completed at least one training module among the mandatory training modules specified in schedule-III, may be considered for promotion subject to condition that they shall successfully complete the remaining training and mandatory refresher courses within the period of two years from the date of promotion.
12.	**Drivers** **(11600-200-12000-250-13000-300-14200-350-15600-400-17200-450-19000-500-21000)**	**3**	**--**		By promotion from any of the cadres in Group 'D' services. If no suitable person is available for promotion, by Direct Recruitment.	**For promotion and Direct Recruitment** (1) Must be holder of a current Light Motor Vehicle Driving License. (2) Must have passed P.U.C. Examination.

(1)	(2)	(3)			(4)	(5)
13.	**Attendar / Daffedars (11000-200-12000-250-13000-300-14200-350-15600-400-17200-450-19000)**	**38**	--	--	By promotion from the cadre of peon/watchman. If no suitable person is available for promotion, by direct recruitment.	For promotion and for direct recruitment must have passed S.S.L.C. or equivalent examination.
14.	**Group D/ Peon/Watchman (9600-200-12000-250-13000-300-14200-350-14550)**	**309**	--	--	By Direct Recruitment.	Must have passed S.S.L.C. examination.

Note:-

1. Promotion to the Group 'A' and 'B' posts shall be on the basis of Statewide Seniority.
2. The total number of posts of Additional Directors and Joint Directors shall be 7 in the ratio 2:5 provided further that the Cadre Strength of Additional Director of Treasuries and Joint Director of Treasuries may be altered inter-se by Government according to the situation and exigencies of service.
3. Promotion to the category of Group 'C' posts shall be on the basis of Division wise Seniority and promotion to the Group 'D' posts shall be on the basis of District wise Seniority + (Hyderabad Karnataka Seniority).
4. Divisions mean Bengaluru Division, Belagavi Division, Mysuru Division, Kalaburagi Division, along Hyderabad-Karnataka Region each comprised of the following districts

Bengaluru Division	Mysore Division	Belagavi Division	Kalaburagi Division	Hyderabad-Karnataka Region
Ballari	Mysuru	Belagavi	Kalaburagi	Kalaburagi
Bengaluru District	Kodagu	Dharwad	Raichur	Raichur
Tumakuru	Mandya	Karwar	Bidar	Bidar
Kolar	Shivamogga	Vijayapura	Koppal	Koppal
Chitradurga	Hassan	Hubballi	Yadagir	Yadagir
Bengaluru Rural	Chikkamagaluru	Gadag		Ballari
Davanagere	C.R. Nagar	Haveri		
Chikkaballapura	Udupi	Bagalkote		
Ramanagar	D.K. Mangaluru			

By order and in the name of the Governor of Karnataka,

G. Shashidhar

Under Secretary to Government,

Finance Department. (Admn. & Adv.)

Schedule-II

(See Rule 3)

DEPARTMENT OF TREASURIES – TRAINING MODULES

Module No.	Module Name	Topic	Topic Details	No. of sessions (of 90 mins)	No. of days (per day 4 sessions)
(1)	(2)	(3)	(4)	(5)	(6)
1	**Treasury Operations Part - I**	**Internal & External Stakeholders**	• Finance Dept - Department coming under Finance Dept. • Parent Dept. - Controlling Department for All Departments (a) Budget preparation, Releases, Controlling (b) Power of Delegations and Authorization, Releases to all Departments.	1	
		CCO's, CO's, DDO's & Other stake holders of treasury	• Budget & Vote on account • Release of budget - regulation and control • Fund release from Secretariat to all levels – from Chief Controlling Officers to DDOs • Release of fund from HODs • Changes in Budget allocation through re-appropriation, Supplementary Budget and Additional allocation • Cuts, withdrawals and surrender of budget • Monitoring of funds and schemes of GoI, outside the State Budget • HOD's review on scheme wise budget, funds released, expenditure incurred, available balance, decision making in better implementation of schemes • MIS Reports	1	
		Accountant General-	• Maintenance and submission of monthly State Civil Accounts to the Finance Department • Preparation and submission of Appropriation and Finance Accounts to the Governor for presenting to the State Legislature. • Entitlement functions relating to the issue of pay slips to the Gazetted Officers.		
			• Maintenance of Accounts and issue of 'no dues certificate' in the case of long term advances taken by the State Government employees. • Maintenance of detailed account of Loans given to Local Bodies/Statutory Corporations by the State Government. • Authorization of pension and other retirement benefits to the retiring State Government employees. • Treasury Inspection and preparation of Annual Review on inspection of Treasuries. • Grants and loans given by Government to Bodies and Authorities for specific purposes. • Maintenance of G.P.F. accounts relating of employees.	1	

(1)	(2)	(3)	(4)	(5)	(6)
		RBI & Agency Banks	• Roles of RBI as Banker to Government • Modes of payment- ECS, NEFT, RTGS and Cheques • Features of CTS 2010 cheques • Credit Scrolls for Receipts and Payments, Return Scrolls • Memorandum of error • Modes of Receipts – cash, clearing, fund transfer, collection of outstation cheques, RTGS, Internet Banking, Credit card/Debit card remittance to Govt., NEFT remittance etc, • Reconciliation	1	
		KGID / Small savings and LIC	• Compulsory Insurance, prescribed rates of subscription and accounts • Subscription, Savings and Insurance Fund, Settlement of retirement benefits of GIS • Recovery & Remittance of LIC Premium • Reconciliation with LIC • Pension Grievance Cell etc.	1	
		HRMS	• HRMS – implementation • Different phases of the project • Pay –roll Generation of the monthly salary bill of employees by the concerned Drawing and Disbursing Officer • Maintenance of service particulars of an employee • Functionalities in HRMS	1	
		Post Office	• Post office- e-MO, Postal accounts, PLI. PIN Codes, Mapping of PIN. • Disbursement of Social security pensions, e-MO, returns management and pensioner grievances	1	
		Result Framework Document	• Explain RFD of Dept of Treasuries. • Preparation of RFD • Uploading of RFD in the RFMS , review, evaluation of RFD generating reports	1	
		Receipts	• Receipts:-Challans- e-challans, departmental challan, registered remitter and challan lite. • Scroll Processing, MOE. • Different modes of payments, Suspense Heads • CTS 2010 cheque features, lapsed cheques, Alteration memo for cancelled cheques. • Object Codes, Bill claims, specific validations • Bill Generation	6	
		Deposits	• Role & Responsibilities of Treasury Officers • Opening, continuation, closing and revival of deposits accounts, lapsing of deposit • New Accounting scheme for deposits	2	

(1)	(2)	(3)	(4)	(5)	(6)
			• Balance Sheet, cash book plus and minus memo, reconciliation and payment authorization • Activities of Treasury Officer for Migration and operationalisation of deposit accounts to K II • Deposit account management in K II		
		Pensions	• Types of Pension, Sanctioning and authorizing authorities • KTC 45-Check register PSB Rules • CPPC and its role, PSB Rules conversion to Family pension • Calculation of pensionery benefits	4	
			Total	**20**	**5**
2	**Treasury Operations Part-II**	**NPS**	• Role and activities of NPS Unit • Stake holders of NPS-NSDL (CRA), HRMS, PFRDA, Axis bank (Trustee bank), Fund Managers such as SBI, UTI, LIC • Registration of DDO, Forms used in NPS, PRAN and PPAN • S1 updation / Modification - Basic details personal details, Nomination, re issue of PRAN and reset of I-PIN & T-PIN • Contribution- Regular, arrear / Backlog, missing contribution • Payment, accounting and reconciliation • Settlement of claims of subscribers, Calculation of benefits in death cases • NPS uploading procedures in the treasuries • NPS for on deputation employees • C hallenges & Discrepancies • GOs till date & FAQs	7	
		TNMC	• Role and responsibility of PMU • Fiscal & Cash Management, Expenditure tracking, Audit monitoring • Masters and Master management • BPRs in K II • Hardware and network management Role of TNMC, Master management • DC/DR and facility management • Software development and improvisation	7	
		Stamp Depot & Strong Room	• Safe Custody of articles • Forecasting & annual indent of cheques • Procurement of stamps, confiscated articles- handing over articles to Govt. Mint • Stock and sales of stamps. Padlocks, security, Exchange of keys • Joint inspection of strong room • Archival and destruction of records	4	

(1)	(2)	(3)	(4)	(5)	(6)
		PRI	• Role and responsibility of Treasury officers as regards PRI transactions • PRI, ZP and TP fund • Model Panchayat Accounting Structure (MPAS). • Fund I II and III, lapse and revival of funds. • Reconciliation	1	
			Total	**19**	**5**
3	**Financial Codes Governing Treasuries**	**Karnataka Financial Code (KFC)**	Definitions, General Principles and Rules, Revenue Receipts	1	
			Responsibilities for Moneys Withdrawn, Pay and Allowances, Bills, Establishment	1	
			Miscellaneous Charges, Stores, Works, Loans, Advances, Bills and Remittances	1	
			Charitable Endowments, Deposits, Local and other Funds	1	
			- Service Funds, Maintenance of Cash and other Accounts of Government Offices, Responsibilities for Losses of Public Money or Property, Miscellaneous subjects		
		Manual of Contingent Expenditure (MCE)	General Rules, Responsibility of DDO, Controlling Authority, Permanent Advances, Bills of encashment, Countersigned Contingencies, Disallowances, Cancellation and Destruction of Sub-Vouchers	1	
			- Special Rules, Allowances, Conveyance Charges, Examination Charges, Fixtures and their Repairs, Furniture and Equipment, Honorarium	1	
			-Insurance of Government Property, Law Charges, Printing, Publications, Rents, Rates and Taxes, Stationery, Stores, Telephone Charges	1	
			- Wages, Miscellaneous office expenses, Appendix IV & V	1	
		Karnataka Treasury Code (KTC)	- Scope of Rules and Definitions, Constitution and Administration of Treasuries, Custody of Treasure	1	
			- Classification of Transactions, Payment of Moneys into the Treasuries and withdrawal there from	1	
			- Accounts to be kept at Treasuries, Accounts Returns to be rendered by Treasuries	1	
			- Pension Payments, Deposits and Bills of Remittances	1	
			- Miscellaneous, Special Rules, Provision of Funds at Treasuries and Sub-Treasuries	1	
		Karnataka Budget Manual (KBM)	- AFS, Structure of Accounts, Budget Estimates, Classification of Funds, Charged and Voted Expenditure, HoA	1	
			- Cash Budgeting, Delegation of Financial Powers, Appropriation Accounts, Reconciliation and control of Expenditure, Ways and Means Advance, Audit and PAC	1	

(1)	(2)	(3)	(4)	(5)	(6)
		Karnataka Panchayat Raj (KPR)	- Budgeting, Accounting, Finance of ZP, TP and GP Funds, Accounting Procedure	1	
			- Books of Accounts, Monthly reconciliation, GIA, Receipts & Expenditure, Receipts	1	
			- Responsibilities of DDOs, Treasury Procedures, Checks on Bills, Drawl of Moneys through Cheques, Plus and Minus Memorandum	1	
			- Refunds of Deposits or Fees paid in excess to the ZP, Schedule I to IV and link document	1	
			Total	**20**	**5**
4	**Law and Service Rules**	**Constitution of India**	**Key Salient Features of the Indian Constitution** - Enumerate Fundamental Rights, Citizenship, Fundamental Duties, Directive principles of the State Policy (Art 36 to 51) **PART V** - Comptroller and Auditor General of India (Art 148 151), Procedure in Financial Matters - Annual Financial Statement - Presentation of AFS and passing of appropriation Bills - Art 112 & Art 202, Supplementary, additional or excess grants (Art 205), Votes on account, votes of credit and exceptional grants (Art 206) **PART XII** - Miscellaneous Financial Provisions - Custody and monitoring of Consolidated Funds, Contingency Funds and moneys credited to public accounts (Articles 266, 267 and 283) **Part XIV** - Chapter I - Services (Articles 309 to 311) - Doctrine of Pleasure(Art 311) and Dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or a State [Art 311(b) - Reasonable opportunity]	1	
		KTPP Act, 1999	- Introduction and historical background, Salient features of the Act, KTPP Rules, 2000 Procurement Reforms, E-procurement	1	
		Tax Rules	**Income Tax Act** - Provisions of the Income Tax Act / Rules relating to Salary and TDS of individuals, Role of Drawing and Disbursing Officer and Treasury Officer in deducting Tax and applicable rates, Generation of 24G and 24Q Report, Generation of Statistics Report, Uploading to TRACES, File Validation, Generation of BIN, Filing of Correction Statements - 24Q and 26Q Report, Generation of Receipt No. , Form 16 and Exemptions **Service Tax Act -** Provisions of the Service Tax Act / Rules - Salient features and mandatory deductions	2	
		Right to Information Act (RTI) and SAKALA	Salient features of the RTI Act, 2005 - Right to Information, Obligation of Public Authorities, Request for obtaining information - Application, Fees, Disposal of request, Exemption from disclosure of information, Grounds for rejection to access in certain cases, Provisions for appeal and penalties, Severability and Third party information D6 Miscellaneous - Monitoring and Reporting, Preservation and destruction of RTI records Karnataka Guarantee of Service to Citizens Act, 2011 (SAKALA) - Salient Features	2	

(1)	(2)	(3)	(4)	(5)	(6)
		Acts related to Gender	Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013	1	
		General Service Rules	Karnataka Civil Service Rules - Background and General Conditions of Service	1	
			Superannuation, Regulation of Service condition and Foreign Service and Deputation	1	
			Regulation of Emoluments and Fixation of Pay	2	
			Leave Rules, Joining Time and Travelling Allowance Rules	1	
			Pension Rules	2	
		Allied Service Rules *	- Salient features of The KCS (General Recruitment) Rules, 1977 & Appointment of persons on Compassionate grounds, The KCS (Probation) Rules, 1977, The KCS (Seniority) Rules, 1957, The Karnataka Government Servants (Medical Attendance) Rules, 1963	2	
		Conduct Rules and CCA Rules	The KCS (Conduct) Rules, 1966, The KCS Performance Appraisal Report Rules, 2007 and The KCS (Classification, Control and Appeal) Rules, 1957	2	
		Handling of Legal Issues, court cases**	Procedures for handling legal matters - Filing of writ petition, Appointment of Government Advocate / Public Prosecutors, Providing para-wise comments and information, Filing of Statement of Objections, Regular monitoring of court cases, Appointment of special counsels in important cases, Review of Orders of the Court, Filing of appeals, Implementation of Court Orders	1	
		Office Procedure	**Chapter I**-Title, Definition, Duties of the Head of the Office, Organisation of the Office, Duties of the Head of the Branch, Duties of the Head of the Section, Duties of the caseworkers, Officer Order Book, Trilateral Index Letters, Clearance Section. **Chapter II**- Movement of Tappal, General receipt register, Classification of References, Special Registers, Periodical Register, Case Register, Opening of Registers, Numbering of cases, Composite Cases, Monthly arrear list of cases, Weekly arrear statement of papers. **Chapter III**- Manner of Handling office work, Circular Files, Current Files and its Arrangements, Illustrations, Disposals, Record Files, Destruction of Records connected with Accounts, Premature Disposal, Call Book, Confidential Papers, Fair copying and Despatch, Recording and Indexing illustrations. **Chapter IV**- Inspections, Attendance, Casual Leave, Furniture, Register of Books and Publications, Various Stages in the Careers of a case. **Chapter V**- Procedure for smaller offices.	1	
			Total	**20**	**5**

(1)	(2)	(3)	(4)	(5)	(6)
5	**Information and Communi-cation Technology**	**Introduction to Computers, Network Internet & Architecture (Theory)**	Hardware – CPU, Memory, Ports, Mouse, Monitor, Printer, Bar code Reader, Card Reader; Storage – RAM, ROM, HDD, DVD, Data Card, Pen Drive; Software – Operating System, MS Office, Open office Adobe, Winzip, Win Rar and other file compression tools, Nudi etc.; Types of Connectivity – LAN, WAN, Internet; Resource sharing – Printers, Folders, Applications	1	
			Wired and Wireless connectivity; Introduction – Webpage, Website; Common Terms – World Wide Web, Browser (Explorer, Chrome, Firefox); Search Internet – Search engine, Keywords; Enterprise Application Architecture of Khajane II	1	
		Using Common Desktop Applications	Theory - e-mail Policy	1	
			Theory and Practical - Word	1	
			Theory and Practical - Power point; Nudi	1	
			Theory and Practical - Excel	3	
			Theory and Practical - Open Office; Outlook	1	
		Information System Security	Theory and Practical - Managing a computer system; Use of licensed software; Auto update of OS security patches and Antivirus patches; Web browser to be updated with latest patches; File / Folder Management and taking back up & Archival; Password Management (Weak and Strong passwords)	1	
			Theory and Practical - Information System Management and Relevant Standards; Crisis Management Plan (Back up Mechanism, Archival Mechanism); Crisis Management plan- expectations; Threats to IT systems, Dos and Don'ts, Best practices and Troubleshooting; - IT Act 2000 and its importance in Government system (Key provisions of various Acts and acts related to G2G & G2C)	1	
			Theory and Practical - Legal Framework- IT act with special reference to certain sections like 11 and 20	1	
			Theory and Practical - Cyber Security, Threats/risks to IT environment	1	
			Theory and Practical - Digital Signature Certificate, Electronic Signature	1	
			Theory and Practical - Biometrics	1	
		e-Governance and common e-Governance applications	Overview of e-governance in Karnataka; Important e-initiatives in GoK; Presentation on e-procurement	1	
			Demonstration on e-procurement	1	
			Presentation on HRMS	1	
			Aaadhar - Leveraging Aaadhar for Public Service Delivery	1	

(1)	(2)	(3)	(4)	(5)	(6)
		Common IT Infrastructure	KSWAN; SDC; Facility Management Services (Annual Maintenance Contract etc. with SLA monitoring tools focus on Vendor Management and Contract Management)	1	
			Total	**20**	**5**
6	**Organizational Behavior and Human Resource Management**	**Introduction to OB & Human Resource Management concepts**	• Introduction to Organizational Behaviour o Definition, Need and Scope. • Key elements of Organizational Behaviour People, structure, technology and environment. • Basic approaches of Organizational Behaviour. • Personal Effectiveness, Creativity & its Analysis for behavioural changes. • Management Functions • Roles & Responsibilities of Officers, with respect to development of their subordinates for achieving effectiveness in delivery of services.	2	
		Personality and dynamics of Interpersonal relations	**Personality** • Introduction • Factors influencing Personality • Personality determinants • Personality types • Key Personality traits relevant to work place.	2	
			Attitude: • Components, Sources and Formation • Transactional analysis • Positive attitude and its impact on the organization • Negative attitude and impact on working conditions in the organization • Attitude and work culture	1	
		Communication & Presentation Skills	• Introduction to Communication • Communication Process • Types of Communication • Verbal and Non verbal communications	1	
		Time and Stress Management	• Introduction Ø Management of time Ø Management of Stress Ø Organizational role Stress Ø Stress coping strategies by individual Ø Stress coping strategies at organization level Ø Time management & Work-Life Balance	2	

(1)	(2)	(3)	(4)	(5)	(6)
		Decision Making, Motivation	• Introduction to Decision Making Ø How to make a decision and what principles should guide your thinking Ø How to use technology to improve decision Ø How can you implement decision successfully Ø Fundamentals of Motivation Ø What makes people work harder, smarter and more effectively? Ø How to tap your employee's intrinsic motivation? Matching a person and a job	2	
		Leadership and Team Building	Introduction to leadershipØ Characteristics of a Leader Ø How to be an effective leaderØ Laws of Leadership Ø Traits that predict leadership/ Situations of derail leadershipØ How to design your team? Ø Why is teams important than individual? Ø How to set direction to the team? Ø How to run effective meeting?	1	
		Group Behaviour and Conflict Management	Ø Group Structures Ø Group Process • Group Synergy, Group Cohesion and Group Decision Making	1	
			Ø Conflict Process Ø Types of Conflict Ø Sources of Inter-group Conflict Ø Conflict Management Techniques	2	
		Change Management	Introduction Ø Overview of Change process o Complexity and inevitability of changes	1	
		Human Asset/ Resource Management	Key component areas of Human Asset Management Introduction to Human Asset Management • Role Efficacy • Values and Ethics • Training and Development • Mid-career Crisis and Counseling	1	
			Total	**16**	**4**
7	**Public Financial Management**	**Public Accountability - Introduction and Framework**	i. Definition of Public Financial Management and Public Accountability (PA) ii. Concept and core principles of PA iii. Framework of PA in India – Constitutional provisions, CAG, Committees of the Legislature and Parliament, Government audit	1	

(1)	(2)	(3)	(4)	(5)	(6)
		Budget	a. Budget process/calendar b. Budget documents- Appendices A, B, E, etc c. Budget presentation in legislature- Finance bills, cut motion, token provision, vote on account, appropriation bill, demand for grants, d. preparing estimates at department level, non-salary expenditure, re-appropriation, surrender of grants, revised estimates and supplementary grants (Forms and formats for the same to be introduced)	1	
			Budgeting – Practical session	1	
		Fiscal Management	1. Introduction to Fiscal Management and the role of DoT in Fiscal Management of the state 2. i. Various Khajane 2 modules pertaining to cash/non cash transactions – Cash Management, Fiscal Management, Expenditure tracking, Budget Control, Assets-Liabilities, Audit Monitoring, Non Treasury Transactions ii. Consolidation, aggregation and reporting of receipts/payment data iii. Deposits	2	
		Cash Management	1. Definition of and Processes involved in Cash Management 2. Treasury Bill expenditure Management	2	
		Government Finance Structure	i. Govt. Finance Structure – Consolidated fund of the state, Contingency fund, Public account ii. Form and structure of Govt. accounts - LMMH iii. National Accounts Statistics (NAS)- Macroeconomic aggregates	1	
		Government Accounting	Finance Accounts, Appropriation Accounts and Monthly Civil Accounts	1	
			CSS/CPS Accounting	1	
		PRIs and Local Bodies Accounts	ULBs – Budget preparation & accounting system	1	
			PRIs - Constitutional framework, sources	2	
		Government Accounts	Expenditure Accounts – PWD accounts	1	
			Financial Management of PSUs	1	
		GPF Rules	Karnataka General Provident Fund Rules 1957 ii. Advances, partial withdrawal and final withdrawals iii. GPF HoA	1	

(1)	(2)	(3)	(4)	(5)	(6)
		Audit Monitoring	AG Audit, Inspection report, Draft notes, Audit paras, compliance to audit paras, PAC, COPU, CoLB, action taken report	1	
			Mock PAC session	1	
			How to detect Frauds	1	
			Total	**19**	**5**
8	**Project Management**	**Objective of the training program and overview of Project Management**	Definition of Project, What is Project, Project Characteristics, Project Success, Project Failure, Typical Life Cycle of a Project, Triple Constraint Theorem, Importance of Project Management, Project Management Philosophy	1	
		Project Initiation – Necessity, Identifying Project stake holders, assumptions and Constraints	Project – Evolution, Government Project Evolution, Project Charter-Project Managers, Goals vs. Objective. Project Sponsor, Team exercises.	1	
		Defining scope of project	Project Scope Management, Project Scope Process, Project Scope Statement	1	
		Work Break Down Structure & its relevance	Create WBS, Validate Scope, Control Scope, Work Break Down Structure, Work Breakdown Structure Dictionary, WBS & Project Management, Construction of WBS, Exercise	1	
		Time and cost requirements of schedules	Project Cost Management , Classification of Cost, Project Cost Management, Estimate Costs, Determine Budget, Control Costs, Earned Value Management, Management – Variance, Value Management – S Curve, Value Management – Forecasting, Exercises	1	
		Fast tracking and crashing of schedule	Project Schedule Analysis – Critical Path Method, Fast Tracking & Crashing of Project Schedule	1	
		Project Team management and Quality control in Project Management	Appropriate Teams, Conduct team Building Exercises, Creating Effective Teams, Making the teams to come up with high performance goals, and make them accountable for results. Quality control in Project Management.	1	
		Project Risk Management	What is Risk, Project Predictability, Personal attitude to Risk, Risk Management Process, Risk Identification, Risk Breakdown Structure, Perform Qualitative & Quantitative Risk Analysis. Plan Risk Responses, Monitor and Control Risks, Isolate areas of High Risk-Team Exercise	1	

(1)	(2)	(3)	(4)	(5)	(6)
		Integrating Changes and Change Management procedure	Perform Integrated Change Control, Integrated Change Control Major Activities, Integrating changes and Change Management	1	
		Project Plan Preparation- Group exercises	Develop Project Management Plan, Develop plans for all elements of the project, Integrate all sub-plans to an integrated project plan. Participants in predetermined groups are required to prepare project plan for the allotted projects, by integrating the various exercises carried out in earlier sessions.	1	
		Project closure, clearances, documentation – technical, legal and statutory compliances.	Project closure – Major Activities, Perform a Closeout Review. Group activities by participants	1	
		Presentation of Project plans by the teams	Participants in predetermined groups present the project plans.	1	
		The Karnataka Transparency in Public Procurements Act (KTTP), 1999 and KTPP Rules 2000	Introduction to procedures in Public Procurement Ø Introduction to KTPP Act, Historical background, salient features of the Act Ø Detailed discussions on the Standard Tender Documents Ø Procurement Reforms- e Procurement Ø KTPP Rules 2000	1	
		Contract Management	Relevant provisions of the Indian Contract Act, 1872 and laws having implications on government contracts and case laws.	1	
			Contract Management- Post contract monitoring, Mechanisms for resolution of disputes in government contracts	1	
			Total	**15**	**4**
9	**Leadership and Managerial skills.**	**Introduction to Leadership & Managerial skills, Expectations from the participants**	➢ Definition of Leadership, Managerial skills ➢ Identify the key elements of Leadership & Managerial skills. ➢ Core competencies & qualities of Leadership. ➢ Analysis of individual leadership styles and its corrections. ➢ Description of Leadership skills required for officers to develop their subordinates for achieving effectiveness in delivery of services. ➢ Descriptions of those factors required for knowing self and others	**1**	

(1)	(2)	(3)	(4)	(5)	(6)
		Foundation of Leadership	➢ Description of the Foundation of Leadership. ➢ Identify the key elements of Leadership & Managerial skills. ➢ Core competencies, for Effective Leadership. ➢ Analysis of individual leadership styles and its corrections. ➢ Description of Leadership skills required for officers to develop their subordinates for achieving effectiveness in delivery of services. ➢ Description of those factors required for knowing self and others.	**1**	
		Basic qualities of Leadership, Core competencies.	➢ Description of the Qualities of Leadership. ➢ Identify the key elements of Leadership & Competencies. ➢ Core competencies. ➢ Analysis of individual leadership style and Plan to modify it to be effective. ➢ Description of Leadership skills required for officers to develop Competencies in their subordinates	**1**	
		Learning about self and others	➢ Description of the terms Openness, proactivity, receiving feedback, perceptiveness. ➢ Identify the key elements required for understand self. ➢ Core competencies, required for understanding others. ➢ Analysis of their own Behavioral style and modify it to Assertiveness. ➢ Description of qualities required in a Leaders to develop their subordinates by understanding their contributions	**1**	
		Leadership Potentials, Facilitation & Mentoring skills	➢ Description of Facilitation, ➢ Process of Mentoring. ➢ List the qualities required for Facilitation & Mentoring. ➢ Explanations & Demonstration of the Facilitation & Mentoring situations.	**1**	
		Introduction to Process & Quality	➢ Description of the purpose of RFD ➢ State the factors that determine the Process & quality. ➢ Description of lean thinking system, six sigma philosophy	**1**	

(1)	(2)	(3)	(4)	(5)	(6)
		Improvement of quality in delivery of services	➢ Description of lean thinking system, six sigma philosophy. ➢ Identify the tools used to measure, analyze, improve & control the results achieved by RFD. ➢ Identify the relevance and importance of Lean thinking, Six sigma tools and ISO 9000 standards for the functioning of the department	**1**	
		Conflict Management, Negotiations	➢ Description of Conflicts & Negotiation. ➢ List the key Personality traits relevant to work Behaviour, Conflict management. ➢ Description of the process and steps in Negotiations. ➢ Explain the relevance of using the Negotiation concept with reference to the performance of their work force	**1**	
		Out Bound Training (Visits to centers of excellence)	➢ Description of the term Team Building ➢ List the components and sources of Problem solving ➢ Description of the aspects of Strategic management and its relevance in achieving the vision of the government. ➢ Identify behaviors that create a positive or negative environment. ➢ Recognize the issues that influence Decision making. ➢ (Other objectives to be included after finalization of out bound training centre) ➢ Team Building ➢ Problem solving ➢ Strategic Management ➢ Decision Making, etc	**8** **(2 days)**	
		Reflection about Facilitation & Mentoring	➢ Description of how facilitation can be done by reflection to their role. ➢ Explain the various processes involved in understanding situation. ➢ Description of how they will develop their subordinates for efficient services. ➢ Identify barriers and situations that can hinder departmental activities	**1**	
		Reflection about conflict management, & Developing subordinates	➢ Explain the various process conflict management ➢ Description of how they will develop their subordinates for efficient services. ➢ Identify barriers and situations that can hinder departmental activities. ➢ Identify the key components of Individual Plans to lead a team of officers. ➢ Reflect the learnings to their roles and realize the aspects required for modification of their behavior for effective leading in organizations	**1**	

(1)	(2)	(3)	(4)	(5)	(6)
		Out bound training Reflections & Individual plans	➢ Identify barriers and situations that can hinder departmental activities. ➢ Present their Individual Plans to lead a team of officers. ➢ Reflect the learnings to their roles and realize the aspects required for modification of their behaviour and plan, organise accordingly	**1**	
			Total	**19**	**5**

Note: "The training modules for curriculum development will be in accordance with the instructions/ guidelines/modifications issued from time to time as suggested by the Treasury Module Development Committees for designing of training modules for officers/staff of Department of Treasuries through the Fiscal Policy Institute, Government of Karnataka, Bengaluru."

By order and in the name of the Governor of Karnataka,

G. Shashidhar

Under Secretary to Government,

Finance Department. (Admn. & Adv.)

Schedule-III

(See rule 4)

Sl. No.	**Posts**		**Core training modules mandatory for promotion * (Details given in Schedule-II)**	**Duration (No. of days)**	**No. of refresher courses mandatory for promotion each of 3 days duration ****
(1)	**(2)**		**(3)**	**(4)**	**(5)**
1.	**Gr.D**	Group 'D'	i) Office procedure and basic service rules ii) Primary Treasury Operations 1 and 2	5 5	1
2.	**Gr.C**	Second Division Assistant	i) Treasury Operations ii) Financial Codes governing Treasuries iii) Law and Service Rules	5 5 5	2
3.		First Division Assistant	i) Treasury Operations ii) Financial Codes governing Treasuries iii) Law and Service Rules	5 5 5	2

(1)	(2)		(3)	(4)	(5)
4.		Head Accountant	i) Treasury Operations ii) Financial Codes governing Treasuries iii) Law and Service Rules	5 5 5	2
5.	**Gr.B**	Assistant Treasury Officer	i) Treasury Operations 1 ii) Financial Codes governing Treasuries iii) Law and Service Rules	5 5 5	2
6.	**Gr.A**	Assistant Director	i) Treasury Operations 2 ii) Information and Communication Technology iii) Organizational behavior and Human Resource Management	5 5 4	2
7.		Deputy Director	i) Public Financial Management ii) Project Management	5 4	2
8.		Joint Director	i) Leadership and Managerial skills	5	2

Note: * The trainings for Group A and B Officers are conducted in FPI, Kengeri, Bengaluru And for Group C and D employees, in identified/ respective District Training Institutes. The contents/sub-contents of the training modules for group C and D is liable for revision as and when required by the department provided the same shall be drawn out of the contents from the 9 Core modules as approved by the Government.

** The number of refresher courses only is made mandatory for promotion and the option of prescribing the specific refresher course for promotion for each of the cadre from time to time is given to the administrative department itself.

P.R. 860

SC-300

By order and in the name of the Governor of Karnataka,

G. Shashidhar

Under Secretary to Government,

Finance Department. (Admn. & Adv.)

ನ್ಯಾಯಮೂರ್ತಿ ಶ್ರೀ ಕೆ.ಎನ್.ಕೇಶವನಾರಾಯಣ ವಿಚಾರಣಾ ಆಯೋಗ

5ನೇ ಮಹಡಿ, ಕಾವೇರಿ ಭವನ, ಕರ್ನಾಟಕ ವಸತಿ ಮಂಡಳಿ ಸಂಕೀರ್ಣ, ಕೆಂಪೇಗೌಡ ರಸ್ತೆ, ಬೆಂಗಳೂರು – 560 009.

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ : 32/34/2016–17, ದಿನಾಂಕ: 12.01.2017

ಸಾರ್ವಜನಿಕರ/ಆಸಕ್ತಿಯುಳ್ಳ ಎಲ್ಲರಿಗೂ ಈ ಮೂಲಕ ತಿಳಿಯಪಡಿಸುವುದೇನೆಂದರೆ, ಶ್ರೀ ಎಂ.ಕೆ. ಗಣಪತಿ, ಡಿವೈ.ಎಸ್ಪಿ. ರವರ ಅಸ್ವಾಭಾವಿಕ ಸಾವಿನ ಬಗ್ಗೆ ಕರ್ನಾಟಕ ಸರ್ಕಾರ ರಚಿಸಿರುವ ನ್ಯಾಯಾಂಗ ತನಿಖಾ ಆಯೋಗದ ಅಧಿಸೂಚನೆ ತಾ: 05.12.2016ರ ಸಂಖ್ಯೆ 32/34/2016–17, ತಾ: 06.12.2016ರ ದೈನಿಕ ಪತ್ರಿಕೆಗಳಲ್ಲಿ ಪ್ರಕಟಿಸಿದ್ದು ಅದರನುಸಾರವಾಗಿ ಲಿಖಿತ ಹೇಳಿಕೆ, ಶಪಥ ಪತ್ರ ಮತ್ತು ದಾಖಲಾತಿಗಳನ್ನು ನಿವೇದಿಸಲು ನಿಗಧಿಪಡಿಸಿದ್ದ ಸಮಯದ ಅವಧಿಯನ್ನು ತಾ: 03.02.2017 ರವರೆಗೆ ವಿಸ್ತರಿಸಲಾಗಿದೆ

ವಿಚಾರಣಾ ಆಯೋಗದ ಆಜ್ಞಾನುಸಾರ ಮತ್ತು ವಿಚಾರಣಾ ಆಯೋಗದ ಹೆಸರಿನಲ್ಲಿ,
ಬಿ.ಶಿವಲಿಂಗೇಗೌಡ
ಕಾರ್ಯದರ್ಶಿ
ನ್ಯಾಯಮೂರ್ತಿ ಶ್ರೀ ಕೆ.ಎನ್. ಕೇಶವನಾರಾಯಣ
ವಿಚಾರಣಾ ಆಯೋಗ

JUSTICE SRI K.N.KESHAVANARAYANA COMMISSION OF INQUIRY

5TH Floor, Cauvery Bhavan, Karnataka Housing Board Complex, K.G.Road, Bengaluru-560 009.

NOTIFICATION

No. 32 / 34 / 2016-17, DATED : 12TH JANUARY 2017.

This is to inform the general public/all interested that the time fixed to submit written statements, affidavit/s and document/s, under the Notification No.32/34/2016 dated 05.12.2016 of this Commission constituted to inquire into the unnatural death of Sri M.K. Ganapathy, Dy. SP, which has been published in the issue of 06th December 2016 of the daily newspapers, has been extended till 03.02.2017.

P.R. 61
S.C. 50

By order and in the name of the Commission of Inquiry
B. SHIVALINGE GOWDA
Secretary
Justice Sri K.N.Keshavanarayana
Commission of Inquiry.

ANIMAL HUSBANDRY AND FISHERIES SECRETARIAT

NOTIFICATION

No. AHF 06 VAH 2014 (Part-IV) BENGALURU, DATED : 16.01.2017

The draft of the Karnataka Animal Husbandry and veterinary Services (Recruitment of Veterinary Officers) (Special) Rules 2016, which the Government of Karnataka proposes to make in exercise of the powers conferred by sub-section (1) of section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) is hereby published as required by clause (a) of sub-

section (2) of section 3 of the said Act, for the information of all the persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after fifteen days from the date of its publication in the Official Gazette.

Any objection or suggestion which may be received by the State Government from any person with respect to the said draft before the expiry of the period specified above will be considered by the State Government. Objection and suggestions may be addressed to the Secretary to Government, Animal Husbandry and Fisheries Department, Vikasa Soudha, Bengaluru-560001.

DRAFT RULES

1. Title, commencement and application. - (1) These rules may be called the Karnataka Animal Husbandry and veterinary Services (Recruitment of Veterinary Officers) (Special) Rules, 2016.

(2) These rules shall come into force from the date of their final publication in the official Gazette.

(3) Notwithstanding anything contained in the Karnataka Civil Services (General Recruitment) Rules, 1977 or the Karnataka Civil Services (Direct-Recruitment by Competitive Examination and Selection)(General) Rules, 2006 or in the Karnataka Animal Husbandry and Veterinary Services (Recruitment) Rules, 1965, or in any other rules of recruitment relating to the categories of posts specified in the schedule made or deemed to have been made, under the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) the provisions of these rules shall apply to recruitment of 100 Backlog and 450 direct recruitment vacancies in the categories of posts of Veterinary officers in the Animal Husbandry and veterinary Service as specified in the schedule:

Provided that, nothing in these rules shall apply to more than one recruitment.

2. Definitions.- (1) In these rules unless the context otherwise requires,-

(a) “Appointing Authority” means the State Government for appointment of veterinary officers under these rules.

(b) "Backlog" means backlog of unfilled scheduled castes and scheduled tribes vacancies in direct recruitment.

(c) "Committee" means the State Level Selection Committee Constituted under rule 3;

(d) "Qualifying Examination" means the minimum qualification for recruitment to the posts of Veterinary officers as specified in the schedule;

(e) "Schedule" means a Schedule appended to these rules;

(f) "Vacancies" means the number of vacant posts to be filled up under these rules.

(2) Other words and expressions used but not defined in these rules, shall have the same meaning assigned to them in the Karnataka Civil Services (General Recruitment) Rules, 1977.

3. State Level Selection Committee.- For recruitment to the categories of posts of Veterinary Officers, under these rules there shall be a State Level Selection Committee consisting of the following members, namely:-

(1) The Commissioner of Animal Husbandry
and Veterinary Services Department,
Bengaluru. : Chairperson

(2) The Director of Animal Husbandry and
Veterinary Services Department, Bengaluru : Member

(3) The Commissioner of Social Welfare
Department, Bengaluru or his representatives
Not below the rank of Joint Commissioner. : Member

(4) The Director of Tribal Welfare Department,
Bengaluru or his representative. : Member

(5) The Director of Backward Classes Department,
Bengaluru or his Representative : Member

(6) The Director of Minority Welfare Department
Bengaluru or his representative. : Member

(7) The Director of Women and Children
Welfare Department Bengaluru or his
representative. : Member

(8) The Joint Director (Administration)
Commissionerate of Animal Husbandry and : Member
Veterinary Services Department, Bengaluru. Secretary

4. Method of Recruitment.- (1) The Committee shall, after taking into consideration the vacancies to be filled up under these rules, advertise the vacancies in the Official Gazette specifying the conditions of eligibility, nature of selection, number of vacancies to be filled and classification in accordance with reservation of posts provided by or under any law or any order for the time being in force, invite applications from the intending candidates. Abstract of such advertisement shall also be published in two daily newspapers having wide circulation in the State of which one shall be in Kannada.

(2) The Committee shall from among the candidates who have applied in pursuance to the publication made under sub-rule (1), and deemed to have applied under rule 8(2) prepare in the order of merit, a selection list of candidates eligible for appointment under these rules on the basis of aggregate percentage of marks secured in the qualifying examination and the reservation of posts (Vertical and Horizontal) provided by or under any law or any order for the time being in force.

(3) The number of candidates to be selected under sub-rule (2), shall be equal to the number of vacancies notified.

(4) If the marks secured by two or more candidates is equal, then the order of merit in respect of such candidates shall be fixed on the basis of their age, the older in age being placed above the younger. The number of candidates to be included in such list of eligible candidates shall be equal to number of vacancies specified in the schedule.

(5) The committee shall also prepare an additional list of such of the candidates not included in the main list prepared under sub-rule (2). The number of candidates to be included in the additional list shall be as far as possible 20% of the number of candidates in each of the reservation categories (horizontal and vertical) in the list under sub-rule (2). There shall be at least one candidate in the additional list belonging to each of the reservation categories (horizontal and vertical) represented in the list under sub-rule(2). If a candidate whose name is included in the list under sub-rule (2), fails to report for duty within the prescribed period, to that extent a candidate belonging to the same reservation category as that of the candidate who failed to report for duty shall be appointed from the additional list.

(6) The lists so prepared under sub-rules (2) and (5), shall be published in the official Gazette and also on the notice board of the office of the Commissioner.

(7) The list of candidates selected by the Committee and assigned to the Appointing Authority shall be valid till all the notified vacancies are filled or till the completion of one year from the date of publication of the selected list whichever is earlier.

5. Appointment of candidates.- (1) Candidates whose names are included in the selection list prepared under rule 4 may be appointed by the appointing authority in the vacancies in the order of which their names are found in the list after satisfying itself after such enquiry as it may consider necessary that each of the candidates is suitable in all respects for appointment.

(2) The inclusion of name of a candidate in the list published under sub-rule (6) of rule 4 shall not confer any right of appointment.

6. Application of general recruitment rules.- Except in respect of matters for which provisions are made in these rules, the provisions of the Karnataka State Civil Service (General Recruitment) Rules, 1977 for the time being in force, shall be applicable for the purpose of recruitment under these rules.

7. Knowledge of Kannada Language.- No candidates shall qualify for the selection to the post of Veterinary Officer unless he qualifies in a test in Kannada language comprising of one paper carrying maximum of 150 marks and secures minimum of 50 marks in the said qualifying test regarding knowledge of Kannada:

Provided that, the committee may exempt a candidate from passing the Kannada language test if the candidate has passed the SSLC examination or any equivalent examination or any examination higher than SSLC in which Kannada is the main language or second language or an optional subject (but not one of the subject in composite paper) or has passed in Kannada medium.

8. Repeal and Savings.- (1) The Karnataka Animal Husbandry and Veterinary Services (Recruitment of Veterinary Officers) (Special) Rules, 2015 is hereby repealed:

(2) Not withstanding the said repeal-

i. The application of candidates who have applied in pursuance of the said repealed rules shall be deemed to have applied under these rules.

ii. The eligibility of candidates who have applied in pursuance of the said repealed rules in respect of age limit shall be considered in accordance with the said repealed rules.

R.N.I. No. KARBIL/2001/47147 POSTAL REGN. No. RNP/KA/BGS/2202/2017-19
Licensed to post without prepayment **WPP No. 297**

SCHEDULE

(see rule 3)

Category of post and scale of pay	**No.of posts to be filled**	**Minimum Qualification**
(1)	(2)	(3)
Veterinary Officer (₹ 28100-50100)	100 (Backlog) and 450	Must be holder of a B.V.Sc and A.H degree with a minimum of fifty percent of marks from any University of Veterinary Sciences or University of Agricultural Sciences established by law in India. Must have Registered his name in the Karnataka Veterinary Council as per the Veterinary Council Act, 1984.

P.R. 62

SC-100

By Order and in the name of the Governor of Karnataka
D.S.Sudarshan Kumar
Under Secretary to Government,
Animal Husbandry and Fisheries Department,
(Animal Husbandry).

ಮುದ್ರಕರು ಹಾಗೂ ಪ್ರಕಾಶಕರು:– ಸಂಕಲನಾಧಿಕಾರಿಗಳು, ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಸರ್ಕಾರಿ ಕೇಂದ್ರ ಮುದ್ರಣಾಲಯ, ಬೆಂಗಳೂರು–59